

AMENDED IN SENATE JUNE 13, 2016

AMENDED IN ASSEMBLY APRIL 14, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1603

Introduced by Committee on Budget (Assembly Members Ting (Chair), Travis Allen, Bigelow, Bloom, Bonta, Campos, Chávez, Chiu, Cooper, Gordon, Grove, Harper, Holden, Irwin, Kim, Lackey, McCarty, Melendez, Mullin, Nazarian, Obernolte, O'Donnell, Patterson, Rodriguez, Thurmond, Wilk, and Williams)

January 7, 2016

An act relating to the Budget Act of 2016. An act to amend Section 155 of the Code of Civil Procedure, and to amend Sections 11253.4, 11320.32, 11402, 11450.025, 11461.3, 11465, 12301.02, 15200, 16519.5, 17601.50, and 18910.1 of, to amend and repeal Sections 11322.63 and 11450.04 of, to amend, repeal, and add Sections 11320.15, 11322.64, 11323.25, and 11450 of, to add Sections 11253.45, 11322.83, 11461.4, 12201.06, 16501.9, and 18920 to, to add Article 6 (commencing with Section 16523) to Chapter 5 of Part 4 of Division 9 of, to add Chapter 17 (commencing with Section 18999) to Part 6 of Division 9 of, and to repeal Section 15200.15 of, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

AB 1603, as amended, Committee on Budget. ~~Budget Act of 2016.~~
Public social services omnibus.

(1) Existing federal law, the Immigration and Nationality Act, establishes a procedure for classification of certain aliens as special immigrants who have been declared dependent on a juvenile court and authorizes those aliens to apply for an adjustment of status to that of a lawful permanent resident within the United States. Under federal regulations, an alien is eligible for special immigrant juvenile status if, among other things, he or she is under 21 years of age. Existing state law provides that the juvenile, probate, and family divisions of the superior court have jurisdiction to make judicial determinations regarding the custody and care of children within the meaning of the federal Immigration and Nationality Act.

This bill would clarify that the court has jurisdiction to make the factual findings necessary to enable a child to petition the United States Citizenship and Immigration Services for classification as a special immigrant juvenile. The bill would also provide that the factual findings may be made at any point in a proceeding, as specified, if certain requirements are met.

(2) Existing law requires the court, upon request, to make the necessary findings regarding special immigrant juvenile status if there is evidence to support those findings, which may consist of, but is not limited to, a declaration by the child who is the subject of the petition. Existing law also authorizes the court to make additional findings that are supported by evidence if requested by a party.

This bill would specify that the evidence to support those findings may consist solely of, but is not limited to, the above declaration. The bill would also authorize the court to make the additional findings only if requested by a party. The bill would provide that the asserted, purported, or perceived motivation of the child seeking classification as a special immigrant juvenile is not admissible in making findings and would prohibit the court from including or referencing the motivation of the child, as specified, in the court's findings.

(3) Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Under existing law, a recipient of CalWORKs aid is required to assign to the county any rights to child support for a family member for whom the recipient is receiving aid, as specified.

Existing law also requires the first \$50 of any amount of child support collected in a month to be paid to a recipient of CalWORKs aid.

Existing law also establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. Under existing law, a child who is placed in the home of a relative is eligible for AFDC-FC only if he or she is eligible for federal financial participation in the AFDC-FC payment.

Existing law establishes the Approved Relative Caregiver Funding Option Program, in counties that choose to participate, for the purpose of making the amount paid to relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC payments. Under existing law, a child who is eligible for the Approved Relative Caregiver Funding Option Program is not subject to the requirements of CalWORKs, except as specified.

This bill would specify that the above-described CalWORKs requirements relating to the assignment of child support apply to assistance units participating in the Approved Relative Caregiver Funding Option Program. The bill would state that these provisions are intended to clarify existing law.

(4) Existing law requires a county that has opted into the Approved Relative Caregiver Funding Option Program to pay an approved relative caregiver a per child per month rate that is equal to the basic rate paid to foster care providers and that is funded, in part, through the CalWORKs program.

This bill, commencing January 1, 2017, would generally require a child who has been placed in the home of a relative who has been approved as a resource family to receive a grant that equals the resource family basic rate at the child's assessed level of care, as specified. By requiring counties to increase grants to children who are placed in the home of a relative who has been approved as a resource family, this bill would impose a state-mandated local program.

(5) Existing law requires that, in order to be eligible for AFDC-FC, a child be placed in one of several specified placements, including the approved home of a resource family, and provides that a child placed with a resource family is eligible for AFDC-FC payments.

This bill, commencing January 1, 2017, would instead provide that a child placed in the approved home of a resource family is eligible for AFDC-FC if the caregiver is a nonrelative or the caregiver is a relative

and the child or youth is otherwise eligible for federal financial participation in the AFDC-FC payment. The bill would also specify that a child placed with a resource family is eligible for the resource family basic rate.

(6) Existing law authorizes the Director of Social Services to enter into an agreement with a tribe, consortium of tribes, or tribal organization, regarding the care and custody of Indian children and jurisdiction over Indian child custody proceedings, under specified circumstances. Existing law requires these agreements to provide for the delegation to the tribe, consortium of tribes, or tribal organization, of the responsibility that would otherwise be the responsibility of the county for the provision of child welfare services or assistance payments under the AFDC-FC program, or both. Existing law requires the State Department of Social Services to annually allocate appropriated funds to each federally recognized American Indian tribe with reservation lands or rancherias in the state that administers a federal tribal Temporary Assistance for Needy Families (TANF) program.

This bill would establish the Tribal Approved Relative Caregiver Funding Option Program and would require participating tribes that opt to participate in the program to pay an approved relative caregiver a per child per month rate, as specified, in return for the care and supervision of an AFDC-FC ineligible child placed with the approved relative caregiver if the participating tribe has notified the department of its decision to participate in the program, as specified, and certain requirements are met, including that the child resides in California. The bill would require the department, in consultation with the participating tribe, to determine the initial base caseload of the tribe and to determine the amount necessary to fund the base caseload.

(7) Existing law requires, when a child is living with a parent who receives AFDC-FC or Kin-GAP benefits, that the rate paid to the foster care provider on behalf of the parent include an additional amount, known as an infant supplement, for the care and supervision of the child. Existing law requires the State Department of Social Services to adopt a uniform rate for the infant supplement for each category of eligible licensed community care facility.

This bill, commencing July 1, 2016, would require the infant supplement rate to be increased by \$489 per month, if funding for this purpose is appropriated in the annual Budget Act.

(8) Existing law requires the State Department of Social Services to administer a voluntary Temporary Assistance Program (TAP) to provide

cash assistance and other benefits to specified current and future CalWORKs recipients who meet the exemption criteria for participation in welfare-to-work activities and are not single parents who have a child under one year of age. Existing law requires the TAP to commence no later than October 1, 2016.

This bill would make that provision inoperative on June 30, 2016.

(9) Existing law requires, for counties that implement a welfare-to-work plan that includes subsidized private sector or public sector employment activities, the State Department of Social Services to pay the county 50%, less \$113, of the total wage costs of an employee for whom a wage subsidy is paid, subject to specified conditions.

This bill would make that provision inoperative on July 1, 2016, and would repeal that provision on January 1, 2017. The bill would make related changes.

(10) Existing law requires the department to develop an allocation methodology to distribute additional funding for expanded subsidized employment programs for CalWORKs recipients.

This bill would require, on and after July 1, 2016, a county that accepts additional funding for expanded subsidized employment in accordance with that provision to continue to expend no less than the aggregate amount of specified funding received by the county that the county expended on subsidized employment in the 2012–13 fiscal year, except as specified.

(11) Existing law requires a recipient of CalWORKs to participate for a specified number of hours each week in welfare-to-work activities as a condition of eligibility.

The federal Workforce Innovation and Opportunity Act of 2014 provides for workforce investment activities, including activities in which states may participate. Existing federal law requires the local chief elected officials in a local workforce development area to form, pursuant to specified guidelines, a local workforce development board to, among other things, plan and oversee the workforce development system and lead efforts in the local area to develop and implement career pathways within the local area.

This bill would deem a recipient who is making satisfactory progress in a career pathway program established in accordance with the federal Workforce Innovation and Opportunity Act to be in compliance with the hourly participation requirements of the CalWORKS program under specified conditions. By increasing the duties of counties administering

the CalWORKs program, the bill would impose a state-mandated local program.

(12) As part of the CalWORKs program, existing law provides that a homeless family that has used all available liquid resources in excess of \$100 may be eligible for homeless assistance benefits to pay the costs of temporary shelter. The CalWORKs program also provides permanent housing assistance to pay rent or a security deposit, as specified, in order to secure housing for the family or prevent eviction.

Under existing law, eligibility for temporary shelter assistance is limited to one period of up to 16 consecutive days of temporary assistance in a lifetime, and eligibility for permanent housing assistance is limited to one payment of assistance, subject to specified exceptions. Existing law provides that a family that includes a parent or nonparent caretaker relative living in the home who has previously received temporary or permanent homeless assistance at any time on behalf of an eligible child is not eligible for further homeless assistance.

This bill, commencing January 1, 2017, would expand the provision of temporary shelter assistance and permanent housing assistance to be available every 12 months. The bill would make conforming changes regarding an applicant for homeless assistance benefits being informed of the availability of the benefits every 12 months. The bill would delete the above limitation on a family's eligibility for homeless assistance. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.

(13) Existing law, referred to as the maximum family grant rule, prohibits the number of needy persons in the same family from being increased, for purposes of determining a family's maximum aid payment, for any child born into a family that has received aid under the CalWORKs program continuously for the 10 months prior to the birth of the child, with specified exceptions.

This bill would repeal the maximum family grant rule on January 1, 2017.

(14) Existing law establishes maximum aid grant amounts to be provided to each family receiving aid under CalWORKs. Existing law increases the maximum aid payments by 5% commencing March 1, 2014, and by an additional 5% commencing April 1, 2015. Existing law specifies a process by which increases may be made to the maximum aid payments depending on projections of revenue and costs by the Department of Finance.

This bill would, effective October 1, 2016, increase the maximum aid grant amounts by an additional 1.43%. The bill would also, effective January 1, 2017, require households eligible for CalWORKs aid to receive an increased aid payment consistent with the repeal of the maximum family grant rule and would require those costs to be paid from moneys deposited into the Child Poverty and Family Supplemental Support Subaccount. To the extent that this bill affects eligibility under the CalWORKs program, the bill would impose a state-mandated local program.

(15) Existing law establishes the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law provides, as part of the Coordinated Care Initiative, that IHSS is a Medi-Cal benefit available through managed care health plans in specified counties. Existing law provides for a 7% reduction in authorized hours of service to each IHSS recipient, as specified.

Existing law, commencing July 1, 2016, until July 1, 2019, establishes a managed care organization provider tax, to be administered by the State Department of Health Care Services, as specified, subject to approval from the federal Centers for Medicare and Medicaid Services, as specified.

This bill would suspend the 7% reduction in hours of service to each IHSS recipient until July 1, 2019, if the managed care organization provider tax remains operative. The bill would require the reduction to be reinstated by a specified date if the managed care organization provider tax ceases to be operative for any reason. By increasing the administrative duties of counties under the IHSS program, this bill would impose a state-mandated local program.

(16) Existing law requires the State Department of Social Services to implement a single statewide Child Welfare Services Case Management System (CWS/CMS) to administer and evaluate the state's child welfare services and foster care programs.

This bill would require the State Department of Social Services and the Office of Systems Integration (OSI), in collaboration with the County Welfare Directors Association (CWDA), to seek resources to enable the necessary level of engagement by the counties in the Child Welfare Services-New System (CWS-NS), as specified. The bill would require the department and OSI to provide a voting seat on all governance bodies of the CWS-NS for a CWDA representative. The bill would also

require the department and OSI to continue to provide monthly updates to the Legislature and to stakeholders, including CWDA, regarding efforts to develop and implement the CWS-NS. The bill would also require CWS/CMS operations and functionality to be maintained at a level at least commensurate with its December 2015 status, as specified. The bill would make related findings and declarations.

(17) Existing law establishes a system of statewide child welfare services, administered by the State Department of Social Services and county child welfare agencies, with the intent that all children are entitled to be safe and free from abuse and neglect.

This bill would establish the Bringing Families Home Program, and would, to the extent funds are appropriated in the annual Budget Act, require the State Department of Social Services to award program funds to counties for the purpose of providing housing-related supports to eligible families experiencing homelessness if specified criteria are met. The bill would require the department to award program funds to counties according to criteria developed by the department, in consultation with specified entities, subject to a requirement that a county that receives funds under the program provide matching funds for these purposes, as specified.

(18) Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law requires the State Department of Social Services to redetermine recipient eligibility and grant amounts under CalFresh on a semiannual basis, as specified. Existing law states the intent of the Legislature to assign certification periods for CalFresh households that are the maximum number of months allowed under federal law based on the household's circumstances, subject to a specified exception.

This bill would instead require the assignment of certification periods in the above-described manner, as specified, and would provide an additional exception, on a case-by-case basis only, for a household's individual circumstances requiring a shorter certification period. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.

(19) Existing law, the State Department of Health Services Cooperative Agreement Act, provides for the establishment of cooperative agreements between the State Department of Public Health and other public and private entities for the purposes of, among other

things, simplifying the administration of public health programs by the department. The act requires cooperative agreements to be subject to review and approval by the Department of General Services with certain exceptions.

This bill would deem an agreement between the State Department of Social Services and a unit of local government, any other unit of state government, or a nonprofit organization that provides for a contract relating to outreach programs related to CalFresh and the Supplemental Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant Program to be a “cooperative agreement,” as defined. The bill would specify that these changes apply retroactively.

(20) Existing federal law establishes various disability benefits programs, including the Supplemental Security Income (SSI) program, under which cash assistance is provided to qualified low-income aged, blind, and disabled persons, and the Social Security Disability Insurance (SSDI) program, under which benefits are provided to persons with disabilities who have paid social security taxes. Existing federal law also provides for disability compensation for veterans under specified circumstances.

Existing state law provides for disability benefits programs, including the State Supplementary Program for the Aged, Blind, and Disabled (SSP), under which state funds are provided in supplementation of federal SSI benefits, and the Cash Assistance Program for Immigrants, which provides benefits to aged, blind, and disabled legal immigrants who meet specified criteria. Existing law also establishes various housing programs directed by the Department of Housing and Community Development, including special housing programs to provide housing assistance for persons with developmental and physical disabilities and persons with mental health disorders.

This bill would establish the Housing and Disability Income Advocacy Program under the administration of the State Department of Social Services, subject to an appropriation of funds in the annual Budget Act. The program would provide state grant funds to participating counties for the provision of outreach, case management, and advocacy services to assist clients who are homeless or at risk of becoming homeless to obtain disability benefits. The bill would require participating counties to provide housing assistance to these clients during their application periods for disability benefits programs, as specified. The bill would also require participating counties to annually report to the department regarding their funding of advocacy and outreach programs and use

of state funding provided under the program, as specified. The bill would require the department to periodically inform the Legislature of the implementation progress of the program, to make related data available on the department's Internet Web site, and to report to the Legislature by October 1, 2018, regarding the implementation of the program, as specified.

(21) Under existing law, benefit payments under SSP are calculated by establishing the maximum level of nonexempt income and federal SSI and state SSP benefits for each category of eligible recipient. The state SSP payment is the amount required, when added to the nonexempt income and SSI benefits available to the recipient, to provide the maximum benefit payment. Existing law prohibits, for each calendar year, commencing with the 2011 calendar year, any cost-of-living adjustment from being made to the maximum benefit payment unless otherwise specified by statute, except for the pass along of any cost-of-living increase in the federal SSI benefits. Existing law continuously appropriates funds for the implementation of SSP.

This bill, commencing January 1, 2017, would increase the amount of aid paid under SSP that is in effect on December 31, 2016, less the federal benefit portion received, by 2.76%. The bill would instead provide that the continuous appropriation would not be made for purposes of implementing these provisions.

(22) Existing law requires the State Department of Social Services and the State Department of Health Care Services to carry out specified duties relating the administration of foster care services.

The bill would require the State Department of Social Services and the State Department of Health Care Services, during the 2017 and 2018 legislative budget hearings, to update the legislative budget committees on activities taken by the departments to implement specified reform measures relating to foster care. The bill would also require the State Department of Social Services to convene stakeholders, including county placing agencies, providers, foster youth, and legislative staff, commencing no later than July 1, 2016, to discuss the adequacy of the proposed foster care rates and rate structure and the extent to which the rates will achieve the desired outcomes for those reform measures, to report to legislative budget committees, and to provide updated project costs, as specified.

(23) The bill would authorize the State Department of Social Services to adopt emergency regulations implementing specified provisions of the bill.

(24) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(25) *Existing federal law provides for the allocation of federal funds through the federal TANF block grant program to eligible states. The state CalWORKs program is funded through a combination of federal funds received through the federal TANF block grant program and state and county funds. Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.*

By expanding eligibility for, increasing assistance payments to recipients of, and adjusting funding formulas for counties providing benefits under, the CalWORKs program, and by providing funding for the Tribal Approved Relative Caregiver Funding Option Program, which is also funded by TANF, the bill would make an appropriation.

(26) *This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.*

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2016.~~

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 155 of the Code of Civil Procedure is
- 2 amended to read:
- 3 155. (a) (1) A superior court has jurisdiction under California
- 4 law to make judicial determinations regarding the custody and
- 5 care of children within the meaning of the federal Immigration
- 6 and Nationality Act (8 U.S.C. Sec. ~~1101(a)(27)(J)~~ 1101 et seq. and
- 7 8 C.F.R. Sec. 204.11), which includes, but is not limited to, the
- 8 juvenile, probate, and family court divisions of the superior court.
- 9 These courts ~~may~~ have jurisdiction to make the factual findings

1 necessary to enable a child to petition the United States Citizenship
2 and Immigration ~~Service Services~~ for classification as a special
3 immigrant juvenile pursuant to Section 1101(a)(27)(J) of Title 8
4 of the United States Code.

5 (2) *The factual findings set forth in paragraph (1) of subdivision*
6 *(b) may be made at any point in a proceeding regardless of the*
7 *division of the superior court or type of proceeding if the*
8 *prerequisites of that subdivision are met.*

9 (b) (1) If an order is requested from the superior court making
10 the necessary findings regarding special immigrant juvenile status
11 pursuant to Section 1101(a)(27)(J) of Title 8 of the United States
12 Code, and there is evidence to support those findings, which may
13 consist *solely* of, but is not limited to, a declaration by the child
14 who is the subject of the petition, the court shall issue the order,
15 which shall include all of the following findings:

16 (A) The child was either of the following:

17 (i) Declared a dependent of the court.

18 (ii) Legally committed to, or placed under the custody of, a state
19 agency or department, or an individual or entity appointed by the
20 court. The court shall indicate the date on which the dependency,
21 commitment, or custody was ordered.

22 (B) That reunification of the child with one or both of the child's
23 parents was determined not to be viable because of abuse, neglect,
24 abandonment, or a similar basis pursuant to California law. The
25 court shall indicate the date on which reunification was determined
26 not to be viable.

27 (C) That it is not in the best interest of the child to be returned
28 to the child's, or his or her parent's, previous country of nationality
29 or country of last habitual residence.

30 (2) ~~If requested by a party, The superior~~ the court may make
31 additional findings *under this section* that are supported by
32 ~~evidence.~~ *evidence only if requested by a party. The asserted,*
33 *purported, or perceived motivation of the child seeking*
34 *classification as a special immigrant juvenile shall not be*
35 *admissible in making the findings under this section. The court*
36 *shall not include nor reference the asserted, purported, or*
37 *perceived motivation of the child seeking classification as a special*
38 *immigrant juvenile in the court's findings under this section.*

39 (c) In any judicial proceedings in response to a request that the
40 superior court make the findings necessary to support a petition

1 for classification as a special immigrant juvenile, information
2 regarding the child's immigration status that is not otherwise
3 protected by state confidentiality laws shall remain confidential
4 and shall be available for inspection only by the court, the child
5 who is the subject of the proceeding, the parties, the attorneys for
6 the parties, the child's counsel, and the child's guardian.

7 (d) In any judicial proceedings in response to a request that the
8 superior court make the findings necessary to support a petition
9 for classification as a special immigrant juvenile, records of the
10 proceedings that are not otherwise protected by state confidentiality
11 laws may be sealed using the procedure set forth in California
12 Rules of Court 2.550 and 2.551.

13 (e) The Judicial Council shall adopt any rules and forms needed
14 to implement this section.

15 *SEC. 2. Section 11253.4 of the Welfare and Institutions Code*
16 *is amended to read:*

17 11253.4. (a) (1) On and after January 1, 2015, a child eligible
18 for the Approved Relative Caregiver Funding Option Program in
19 accordance with Section ~~11461.3~~, 11461.3 is not subject to the
20 provisions of this chapter relating to CalWORKs, including, but
21 not limited to, the provisions that relate to CalWORKs eligibility,
22 welfare-to-work, time limits, or grant computation.

23 (2) All of the following shall apply to a child specified in
24 paragraph (1):

25 (A) He or she shall receive the applicable regional CalWORKs
26 grant for recipient in an assistance unit of one, pursuant to the
27 exempt maximum aid payment set forth in Section 11450, and any
28 changes to the CalWORKs grant amount shall apply to the grant
29 described in this subparagraph.

30 (B) Notwithstanding any other law, the CalWORKs grant of
31 the child shall be paid by the county with payment responsibility
32 as described in subdivision (b) of Section 11461.3, rather than the
33 county of residence of the child, unless the child resides in the
34 county with payment responsibility.

35 (C) For an assistance unit described in subparagraph (A),
36 eligibility shall be determined in accordance with paragraph (3)
37 of subdivision (a) of Section 672 of Title 42 of the United States
38 Code and state law implementing those requirements for the
39 purposes of Article 5 (commencing with Section 11400).

1 (D) (i) Article 7 (commencing with Section 11475.2), as
2 modified by subdivisions (j) and (k) of Section 11461.3, shall apply
3 to an assistance unit described in subparagraph (A).

4 (ii) This subparagraph is intended by the Legislature to clarify
5 existing law.

6 (b) (1) Except as provided in paragraph (2), a person who is an
7 approved relative caregiver with whom a child eligible in
8 accordance with Section 11461.3 is ~~placed~~, placed shall be exempt
9 from Chapter 4.6 (commencing with Section 10830) of Part 2
10 governing the statewide fingerprint imaging system.

11 (2) An approved relative caregiver who is also an applicant for
12 or a recipient of benefits under this chapter shall comply with the
13 statewide fingerprint imaging system requirements.

14 (c) Notwithstanding Sections 11004 and 11004.1 or any other
15 law, overpayments to an assistance unit described in subparagraph
16 (A) of paragraph (2) of subdivision (a) shall be collected in
17 accordance with subdivision (d) of Section 11461.3.

18 (d) If an approved relative caregiver with whom a child eligible
19 in accordance with Section 11461.3 is placed is also an applicant
20 for or a recipient of benefits under this ~~chapter~~ chapter, all of the
21 following shall apply:

22 (1) The applicant or recipient and each eligible child, excluding
23 any child eligible in accordance with Section 11461.3, shall receive
24 aid in an assistance unit separate from the assistance unit described
25 in subparagraph (A) of paragraph (2) of subdivision (a), and the
26 CalWORKs grant of the assistance unit shall be paid by the county
27 of residence of the assistance unit.

28 (2) For purposes of calculating the grant of the assistance unit,
29 the number of eligible needy persons on which the grant is based
30 pursuant to paragraph (1) of subdivision (a) of Section 11450 shall
31 not include any child eligible in accordance with Section 11461.3.

32 (3) For purposes of calculating minimum basic standards of
33 adequate care for the assistance unit, any child eligible in
34 accordance with Section 11461.3 shall be included as an eligible
35 needy person in the same family pursuant to paragraph (2) of
36 subdivision (a) of Section 11452.

37 (e) This section shall apply retroactively to a child eligible for
38 the Approved Relative Caregiver Funding Option Program and
39 his or her approved relative caregiver as of January 1, 2015.

1 *SEC. 3. Section 11253.45 is added to the Welfare and*
2 *Institutions Code, immediately following Section 11253.4, to read:*

3 *11253.45. (a) (1) A child to whom Section 309, 361.45, or*
4 *16519.5 applies, and who is placed in the home of a relative who*
5 *has been approved as a resource family pursuant to Section*
6 *16519.5, shall receive a grant that equals the resource family basic*
7 *rate at the child's assessed level of care, as set forth in subdivision*
8 *(g) of Section 11461 and Section 11463. If the child is determined*
9 *eligible for aid, the total grant shall be comprised of the*
10 *CalWORKs grant plus an amount that, when combined with the*
11 *CalWORKs grant, equals the resource family basic rate at the*
12 *child's assessed level of care.*

13 *(2) The non-CalWORKs portion of the grant provided in*
14 *paragraph (1) shall be paid from funds separate from funds*
15 *appropriated in the annual Budget Act and counties' share of costs*
16 *for the CalWORKs program.*

17 *(3) A child specified in paragraph (1) is not subject to the*
18 *provisions of this chapter relating to CalWORKs, including, but*
19 *not limited to, the provisions that relate to CalWORKs eligibility,*
20 *welfare to work, child support enforcement, time limits, or grant*
21 *computation.*

22 *(4) All of the following shall apply to a child specified in*
23 *paragraph (1):*

24 *(A) He or she shall receive the applicable regional CalWORKs*
25 *grant for a recipient in an assistance unit of one, pursuant to the*
26 *exempt maximum aid payment set forth in Section 11450, and any*
27 *changes to the CalWORKs grant amount shall apply to the grant*
28 *described in this subparagraph.*

29 *(B) Notwithstanding any other law, the CalWORKs grant for*
30 *the child shall be paid by the county with payment responsibility*
31 *in accordance with paragraph (1) regardless of the county of*
32 *residence of the child.*

33 *(C) For an assistance unit described in subparagraph (A),*
34 *eligibility shall be determined in accordance with paragraph (3)*
35 *of subdivision (a) of Section 672 of Title 42 of the United States*
36 *Code and state law implementing those requirements for the*
37 *purposes of Article 5 (commencing with Section 11400).*

38 *(b) (1) Except as provided in paragraph (2), a person applying*
39 *for aid on behalf of a child described in paragraph (1) of*
40 *subdivision (a), shall be exempt from Chapter 4.6 (commencing*

1 with Section 10830) of Part 2 governing the statewide fingerprint
2 imaging system.

3 (2) A relative who is also an applicant for or a recipient of
4 benefits under this chapter shall comply with the statewide
5 fingerprint imaging system requirements.

6 (c) Notwithstanding Sections 11004 and 11004.1 or any other
7 law, overpayments to an assistance unit described in subparagraph
8 (A) of paragraph (4) of subdivision (a) shall be collected using
9 the standards and processes for overpayment recoupment as
10 specified in Section 11466.24, and recouped overpayments shall
11 not be subject to remittance to the federal government.

12 (d) If a relative with whom a child eligible in accordance with
13 this section is placed is also an applicant for, or a recipient of,
14 benefits under this chapter, all of the following shall apply:

15 (1) The applicant or recipient and each eligible child, excluding
16 any child eligible in accordance with this section, shall receive
17 aid in an assistance unit separate from the assistance unit
18 described in subparagraph (A) of paragraph (4) of subdivision
19 (a), and the CalWORKs grant of the assistance unit shall be paid
20 by the county of residence of the assistance unit.

21 (2) For purposes of calculating the grant of the assistance unit,
22 the number of eligible needy persons on which the grant is based
23 pursuant to paragraph (1) of subdivision (a) of Section 11450 shall
24 not include any child eligible in accordance with this section.

25 (3) For purposes of calculating minimum basic standards of
26 adequate care for the assistance unit, any child eligible in
27 accordance with this section shall be included as an eligible needy
28 person in the same family pursuant to paragraph (2) of subdivision
29 (a) of Section 11452.

30 (e) This section shall apply only to a child under the jurisdiction
31 of a county that has not opted into the Approved Relative Caregiver
32 Funding Option pursuant to Section 11461.3.

33 (f) This section shall become operative on January 1, 2017.

34 SEC. 4. Section 11320.15 of the Welfare and Institutions Code
35 is amended to read:

36 11320.15. (a) After a participant has been removed from the
37 assistance unit under subdivision (a) of Section 11454, additional
38 welfare-to-work services may be provided to the recipient, at the
39 option of the county. If the county provides services to the recipient
40 after the 48-month limit has been reached, the recipient shall

1 participate in community service or subsidized employment, as
2 described in Section 11322.63.

3 *(b) This section shall become inoperative on July 1, 2016, and,*
4 *as of January 1, 2017, is repealed, unless a later enacted statute,*
5 *that becomes operative on or before January 1, 2017, deletes or*
6 *extends the dates on which it becomes inoperative and is repealed.*

7 SEC. 5. Section 11320.15 is added to the Welfare and
8 Institutions Code, to read:

9 11320.15. (a) After a participant has been removed from the
10 assistance unit under subdivision (a) of Section 11454, additional
11 welfare-to-work services may be provided to the recipient, at the
12 option of the county. If the county provides services to the recipient
13 after the 48-month limit has been reached, the recipient shall
14 participate in community service or subsidized employment, as
15 described in Section 11322.64.

16 *(b) This section shall become operative on July 1, 2016.*

17 SEC. 6. Section 11320.32 of the Welfare and Institutions Code
18 is amended to read:

19 11320.32. (a) The department shall administer a voluntary
20 Temporary Assistance Program (TAP) for current and future
21 CalWORKs recipients who meet the exemption criteria for work
22 participation activities set forth in Section ~~11320.3~~, 11320.3 and
23 are not single parents who have a child under the age of one year.
24 Temporary Assistance Program recipients shall be entitled to the
25 same assistance payments and other benefits as recipients under
26 the CalWORKs program. The purpose of this program is to provide
27 cash assistance and other benefits to eligible families without any
28 federal restrictions or requirements and without any adverse impact
29 on recipients. The Temporary Assistance Program shall commence
30 no later than October 1, 2016.

31 (b) CalWORKs recipients who meet the exemption criteria for
32 work participation activities set forth in subdivision (b) of Section
33 11320.3, and are not single parents with a child under ~~the age of~~
34 ~~one year~~, one year of age, shall have the option of receiving grant
35 payments, child care, and transportation services from the
36 Temporary Assistance Program. The department shall notify all
37 CalWORKs recipients and applicants meeting the exemption
38 criteria specified in subdivision (b) of Section 11320.3, except for
39 single parents with a child under the age of one year, of their option
40 to receive benefits under the Temporary Assistance Program.

1 Absent written indication that these recipients or applicants choose
2 not to receive assistance from the Temporary Assistance Program,
3 the department shall enroll CalWORKs recipients and applicants
4 into the program. However, exempt volunteers shall remain in the
5 CalWORKs program unless they affirmatively indicate, in writing,
6 their interest in enrolling in the Temporary Assistance Program.
7 A Temporary Assistance Program recipient who no longer meets
8 the exemption criteria set forth in Section 11320.3 shall be enrolled
9 in the CalWORKs program.

10 (c) Funding for grant payments, child care, transportation, and
11 eligibility determination activities for families receiving benefits
12 under the Temporary Assistance Program shall be funded with
13 General Fund resources that do not count toward the state's
14 maintenance of effort requirements under clause (i) of subparagraph
15 (B) of paragraph (7) of subdivision (a) of Section 609 of Title 42
16 of the United States Code, up to the caseload level equivalent to
17 the amount of funding provided for this purpose in the annual
18 Budget Act.

19 (d) It is the intent of the Legislature that recipients shall have
20 and maintain access to the hardship exemption and the services
21 necessary to begin and increase participation in welfare-to-work
22 activities, regardless of their county of origin, and that the number
23 of recipients exempt under subdivision (b) of Section 11320.3 not
24 significantly increase due to factors other than changes in caseload
25 characteristics. All relevant state law applicable to CalWORKs
26 recipients shall also apply to families funded under this section.
27 This section does not modify the criteria for exemption in Section
28 11320.3.

29 (e) To the extent that this section is inconsistent with federal
30 regulations regarding implementation of the Deficit Reduction Act
31 of 2005, the department may amend the funding structure for
32 exempt families to ensure consistency with these regulations, not
33 later than 30 days after providing written notification to the chair
34 of the Joint Legislative Budget Committee and the chairs of the
35 appropriate policy and fiscal committees of the Legislature.

36 (f) *This section shall become inoperative on June 30, 2016.*

37 SEC. 7. *Section 11322.63 of the Welfare and Institutions Code*
38 *is amended to read:*

39 11322.63. (a) For counties that implement a welfare-to-work
40 plan that includes subsidized private sector or public sector

1 employment activities, the State Department of Social Services
2 shall pay the county 50 percent, less one hundred thirteen dollars
3 (\$113), of the total wage costs of an employee for whom a wage
4 subsidy is paid, subject to all of the following conditions:

5 (1) (A) For participants receiving CalWORKs aid, the maximum
6 state contribution of the total wage cost shall not exceed 100
7 percent of the computed grant for the assistance unit in the month
8 prior to participation in subsidized employment.

9 (B) For participants who have received aid in excess of the time
10 limits provided in subdivision (a) of Section 11454, the maximum
11 state contribution of the total wage cost shall not exceed 100
12 percent of the computed grant for the assistance unit in the month
13 prior to participation in subsidized employment.

14 (C) In the case of an individual who participates in subsidized
15 employment as a service provided by a county pursuant to Section
16 11323.25, the maximum state contribution of the total wage cost
17 shall not exceed 100 percent of the computed grant that the
18 assistance unit received in the month prior to participation in the
19 subsidized employment.

20 (D) The maximum state contribution, as defined in this
21 paragraph, shall remain in effect until the end of the subsidy period
22 as specified in paragraph (2), including with respect to subsidized
23 employment participants whose wage results in the assistance unit
24 no longer receiving a CalWORKs grant.

25 (E) State funding provided for total wage costs shall only be
26 used to fund wage and nonwage costs of the county's subsidized
27 employment program.

28 (2) State participation in the total wage costs pursuant to this
29 section shall be limited to a maximum of six months of wage
30 subsidies for each participant. If the county finds that a longer
31 subsidy period is necessary in order to mutually benefit the
32 employer and the participant, state participation in a subsidized
33 wage may be offered for up to 12 months.

34 (3) Eligibility for entry into subsidized employment funded
35 under this section shall be limited to individuals who are not
36 otherwise employed at the time of entry into the subsidized job,
37 and who are current CalWORKs recipients, sanctioned individuals,
38 or individuals described in Section 11320.15 who have exceeded
39 the time limits specified in subdivision (a) of Section 11454. A
40 county may continue to provide subsidized employment funded

1 under this section to individuals who become ineligible for
2 CalWORKs benefits in accordance with Section 11323.25.

3 (b) Upon application for CalWORKs after a participant's
4 subsidized employment ends, if an assistance unit is otherwise
5 eligible within three calendar months of the date that subsidized
6 employment ended, the income exemption requirements contained
7 in Section 11451.5 and the work requirements contained in
8 subdivision (c) of Section 11201 shall apply. If aid is restored after
9 the expiration of that three-month period, the income exemption
10 requirements contained in Section 11450.12 and the work
11 requirements contained in subdivision (b) of Section 11201 shall
12 apply.

13 (c) The department, in conjunction with representatives of
14 county welfare offices and their directors and the Legislative
15 Analyst's Office, shall assess the cost neutrality of the subsidized
16 employment program pursuant to this section and make
17 recommendations to the Legislature, if necessary, to ensure cost
18 neutrality. The department shall testify regarding the cost neutrality
19 of the subsidized employment program during the 2012–13 fiscal
20 year legislative budget hearings.

21 (d) No later than January 10, 2013, the State Department of
22 Social Services shall submit a report to the Legislature on the
23 outcomes of implementing this section that shall include, but need
24 not be limited to, all of the following:

25 (1) The number of CalWORKs recipients that entered subsidized
26 employment.

27 (2) The number of CalWORKs recipients who found
28 nonsubsidized employment after the subsidy ends.

29 (3) The earnings of the program participants before and after
30 the subsidy.

31 (4) The impact of this program on the state's work participation
32 rate.

33 (e) Payment of the state's share in total wage costs required by
34 this section shall be made in addition to, and independent of, the
35 county allocations made pursuant to Section 15204.2.

36 (f) (1) A county that accepts additional funding for expanded
37 subsidized employment for CalWORKs recipients in accordance
38 with Section 11322.64 shall continue to expend no less than the
39 aggregate amount of funding received by the county pursuant to

1 Section 15204.2 that the county expended on subsidized
2 employment pursuant to this section in the 2012–13 fiscal year.

3 (2) This subdivision shall not apply for any fiscal year in which
4 the total CalWORKs caseload is projected by the department to
5 increase more than 5 percent of the total actual CalWORKs
6 caseload in the 2012–13 fiscal year.

7 (g) For purposes of this section, “total wage costs” include the
8 actual wage paid directly to the participant that is allowable under
9 the Temporary Assistance for Needy Families program.

10 ~~(h) This section shall become operative on October 1, 2013.~~

11 *(h) This section shall become inoperative on July 1, 2016, and,*
12 *as of January 1, 2017, is repealed, unless a later enacted statute,*
13 *that becomes operative on or before January 1, 2017, deletes or*
14 *extends the dates on which it becomes inoperative and is repealed.*

15 SEC. 8. Section 11322.64 of the Welfare and Institutions Code
16 is amended to read:

17 11322.64. (a) (1) The department, in consultation with the
18 County Welfare Directors Association of California, shall develop
19 an allocation methodology to distribute additional funding for
20 expanded subsidized employment programs for CalWORKs
21 recipients.

22 (2) Funds allocated pursuant to this section may be utilized to
23 cover all expenditures related to the operational costs of the
24 expanded subsidized employment program, including the cost of
25 overseeing the program, developing work sites, and providing
26 training to participants, as well as wage and nonwage costs.

27 (3) The department, in consultation with the County Welfare
28 Directors Association of California, shall determine the amount
29 or proportion of funding allocated pursuant to this section that may
30 be utilized for operational costs, consistent with the number of
31 employment slots anticipated to be created and the funding
32 provided.

33 (b) Funds allocated for expanded subsidized employment shall
34 be in addition to, and independent of, the county allocations made
35 pursuant to Section 15204.2 and shall not be used by a county to
36 fund subsidized employment pursuant to Section 11322.63.

37 (c) Each county shall submit to the department a plan regarding
38 how it intends to utilize the funds allocated pursuant to this section.

(d) (1) Participation in subsidized employment pursuant to this section shall be limited to a maximum of six months for each participant.

(2) Notwithstanding paragraph (1), a county may extend participation beyond the six-month limitation described in paragraph (1) for up to an additional three months at a time, to a maximum of no more than 12 total months. Extensions may be granted pursuant to this paragraph if the county determines that the additional time will increase the likelihood of either of the following:

(A) The participant obtaining unsubsidized employment with the participating employer.

(B) The participant obtaining specific skills and experiences relevant for unsubsidized employment in a particular field.

(e) A county may continue to provide subsidized employment funded under this section to individuals who become ineligible for CalWORKs benefits in accordance with Section 11323.25.

(f) Upon application for CalWORKs assistance after a participant's subsidized employment ends, if an assistance unit is otherwise eligible within three calendar months of the date that subsidized employment ended, the income exemption requirements contained in Section 11451.5 and the work requirements contained in subdivision (c) of Section 11201 shall apply. If aid is restored after the expiration of that three-month period, the income exemption requirements contained in Section 11450.12 and the work requirements contained in subdivision (b) of Section 11201 shall apply.

(g) No later than April 1, 2015, the State Department of Social Services shall submit at least the following information regarding implementation of this section to the Legislature:

(1) The number of CalWORKs recipients that entered subsidized employment.

(2) The number of CalWORKs recipients who found nonsubsidized employment after the subsidy ends.

(3) The earnings of the program participants before and after the subsidy.

(4) The impact of this program on the state's work participation rate.

(h) *This section shall become inoperative on July 1 2016, and, as of January 1, 2017, is repealed, unless a later enacted statute,*

1 *that becomes operative on or before January 1, 2017, deletes or*
2 *extends the dates on which it becomes inoperative and is repealed.*

3 *SEC. 9. Section 11322.64 is added to the Welfare and*
4 *Institutions Code, to read:*

5 *11322.64. (a) (1) The department, in consultation with the*
6 *County Welfare Directors Association of California, shall develop*
7 *an allocation methodology to distribute additional funding for*
8 *expanded subsidized employment programs for CalWORKs*
9 *recipients, or individuals described in Section 11320.15 who have*
10 *exceeded the time limits specified in subdivision (a) of Section*
11 *11454.*

12 *(2) Funds allocated pursuant to this section may be utilized to*
13 *cover all expenditures related to the operational costs of the*
14 *expanded subsidized employment program, including the cost of*
15 *overseeing the program, developing work sites, and providing*
16 *training to participants, as well as wage and nonwage costs.*

17 *(3) The department, in consultation with the County Welfare*
18 *Directors Association of California, shall determine the amount*
19 *or proportion of funding allocated pursuant to this section that*
20 *may be utilized for operational costs, consistent with the number*
21 *of employment slots anticipated to be created and the funding*
22 *provided.*

23 *(b) Funds allocated for expanded subsidized employment shall*
24 *be in addition to, and independent of, the county allocations made*
25 *pursuant to Section 15204.2.*

26 *(c) (1) A county that accepts additional funding for expanded*
27 *subsidized employment in accordance with this section shall*
28 *continue to expend no less than the aggregate amount of funding*
29 *received by the county pursuant to Section 15204.2 that the county*
30 *expended on subsidized employment in the 2012–13 fiscal year*
31 *pursuant to Section 11322.63, as that section read on June 30,*
32 *2016.*

33 *(2) This subdivision shall not apply for any fiscal year in which*
34 *the total CalWORKs caseload is projected by the department to*
35 *increase by more than 5 percent of the total actual CalWORKs*
36 *caseload in the 2012–13 fiscal year.*

37 *(d) Each county shall submit to the department a plan regarding*
38 *how it intends to utilize the funds allocated pursuant to this section.*

1 (e) (1) *Participation in subsidized employment pursuant to this*
2 *section shall be limited to a maximum of six months for each*
3 *participant.*

4 (2) *Notwithstanding paragraph (1), a county may extend*
5 *participation beyond the six-month limitation described in*
6 *paragraph (1) for up to an additional three months at a time, to a*
7 *maximum of no more than 12 total months. Extensions may be*
8 *granted pursuant to this paragraph if the county determines that*
9 *the additional time will increase the likelihood of either of the*
10 *following:*

11 (A) *The participant obtaining unsubsidized employment with*
12 *the participating employer.*

13 (B) *The participant obtaining specific skills and experiences*
14 *relevant for unsubsidized employment in a particular field.*

15 (f) *A county may continue to provide subsidized employment*
16 *funded under this section to individuals who become ineligible for*
17 *CalWORKs benefits in accordance with Section 11323.25.*

18 (g) *Upon application for CalWORKs assistance after a*
19 *participant's subsidized employment ends, if an assistance unit is*
20 *otherwise eligible within three calendar months of the date that*
21 *subsidized employment ended, the income exemption requirements*
22 *contained in Section 11451.5 and the work requirements contained*
23 *in subdivision (c) of Section 11201 shall apply. If aid is restored*
24 *after the expiration of that three-month period, the income*
25 *exemption requirements contained in Section 11450.12 and the*
26 *work requirements contained in subdivision (b) of Section 11201*
27 *shall apply.*

28 (h) *No later than April 1, 2015, the State Department of Social*
29 *Services shall submit at least the following information regarding*
30 *implementation of this section to the Legislature:*

31 (1) *The number of CalWORKs recipients that entered subsidized*
32 *employment.*

33 (2) *The number of CalWORKs recipients who found*
34 *nonsubsidized employment after the subsidy ends.*

35 (3) *The earnings of the program participants before and after*
36 *the subsidy.*

37 (4) *The impact of this program on the state's work participation*
38 *rate.*

39 (i) *This section shall become operative on July 1, 2016.*

1 *SEC. 10. Section 11322.83 is added to the Welfare and*
2 *Institutions Code, immediately following Section 11322.8, to read:*

3 *11322.83. (a) A recipient who is making satisfactory progress*
4 *in a career pathway program established in accordance with the*
5 *federal Workforce Innovation and Opportunity Act (Public Law*
6 *113-128) shall be deemed to be in compliance with the hourly*
7 *participation requirements described in subdivision (a) of Section*
8 *11322.8.*

9 *(b) Subdivision (a) applies only if a local workforce development*
10 *board established under Section 3122 of Title 29 of the United*
11 *States Code provides its approval that the career pathway program*
12 *meets the requirements of Section 3102(7) of Title 29 of the United*
13 *States Code and the county verifies that the recipient is making*
14 *satisfactory progress in that program.*

15 *SEC. 11. Section 11323.25 of the Welfare and Institutions Code*
16 *is amended to read:*

17 *11323.25. (a) In addition to its authority under subdivision*
18 *(b) of Section 11323.2, if provided in a county plan, the county*
19 *may continue to provide welfare-to-work services to former*
20 *participants who became ineligible for CalWORKs benefits*
21 *because they became employed under Section 11322.63 or*
22 *11322.64. The county may provide these services for up to the*
23 *first 12 months of employment, to the extent they are not available*
24 *from other sources and are needed for the individual to retain the*
25 *subsidized employment.*

26 *(b) This section shall become inoperative on July 1 2016, and,*
27 *as of January 1, 2017, is repealed, unless a later enacted statute,*
28 *that becomes operative on or before January 1, 2017, deletes or*
29 *extends the dates on which it becomes inoperative and is repealed.*

30 *SEC. 12. Section 11323.25 is added to the Welfare and*
31 *Institutions Code, to read:*

32 *11323.25. (a) In addition to its authority under subdivision*
33 *(b) of Section 11323.2, if provided in a county plan, the county*
34 *may continue to provide welfare-to-work services to former*
35 *participants who became ineligible for CalWORKs benefits because*
36 *they became employed under Section 11322.64. The county may*
37 *provide these services for up to the first 12 months of employment,*
38 *to the extent they are not available from other sources and are*
39 *needed for the individual to retain the subsidized employment.*

40 *(b) This section shall become operative on July 1, 2016.*

1 *SEC. 13. Section 11402 of the Welfare and Institutions Code,*
2 *as amended by Section 65 of Chapter 773 of the Statutes of 2015,*
3 *is amended to read:*

4 11402. In order to be eligible for AFDC-FC, a child or
5 nonminor dependent shall be placed in one of the following:

6 (a) Prior to January 1, 2019, the approved home of a relative,
7 provided the child or youth is otherwise eligible for federal
8 financial participation in the AFDC-FC payment.

9 (b) (1) Prior to January 1, 2019, the licensed family home of a
10 nonrelative.

11 (2) Prior to January 1, 2019, the approved home of a nonrelative
12 extended family member as described in Section 362.7.

13 (c) The approved home of a resource-family family, as defined
14 in Section ~~16519.5~~ 16519.5, if either of the following is true:

15 (1) *The caregiver is a nonrelative.*

16 (2) *The caregiver is a relative, and the child or youth is*
17 *otherwise eligible for federal financial participation in the*
18 *AFDC-FC payment.*

19 (d) A licensed group home, as defined in subdivision (h) of
20 Section 11400, excluding a runaway and homeless youth shelter
21 as defined in subdivision (ab) of Section 11400, provided that the
22 placement worker has documented that the placement is necessary
23 to meet the treatment needs of the child or youth and that the
24 facility offers those treatment services.

25 (e) The home of a nonrelated legal guardian or the home of a
26 former nonrelated legal guardian when the guardianship of a child
27 or youth who is otherwise eligible for AFDC-FC has been
28 dismissed due to the child or youth attaining 18 years of age.

29 (f) An exclusive-use home.

30 (g) A housing model certified by a licensed transitional housing
31 placement provider as described in Section 1559.110 of the Health
32 and Safety Code and as defined in subdivision (r) of Section 11400.

33 (h) An out-of-state group home, provided that the placement
34 worker, in addition to complying with all other statutory
35 requirements for placing a child or youth in an out-of-state group
36 home, documents that the requirements of Section 7911.1 of the
37 Family Code have been met.

38 (i) An approved supervised independent living setting for
39 nonminor dependents, as defined in subdivision (w) of Section
40 11400.

(j) This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

SEC. 14. Section 11402 of the Welfare and Institutions Code, as added by Section 66 of Chapter 773 of the Statutes of 2015, is amended to read:

11402. In order to be eligible for AFDC-FC, a child or nonminor dependent shall be placed in one of the following:

(a) Prior to January 1, 2019, the approved home of a relative, provided the child or youth is otherwise eligible for federal financial participation in the AFDC-FC payment.

(b) (1) Prior to January 1, 2019, the home of a nonrelated legal guardian or the home of a former nonrelated legal guardian when the guardianship of a child or youth who is otherwise eligible for AFDC-FC has been dismissed due to the child or youth attaining 18 years of age.

(2) Prior to January 1, 2019, the approved home of a nonrelative extended family member, as described in Section 362.7.

(c) (1) Prior to January 1, 2019, the licensed family home of a nonrelative.

(2) The approved home of a resource family, as defined in Section 16519.5, if either of the following is true:

(A) The caregiver is a nonrelative.

(B) The caregiver is a relative, and the child or youth is otherwise eligible for federal financial participation in the AFDC-FC payment.

(d) (1) A housing model certified by a licensed transitional housing placement provider, as described in Section 1559.110 of the Health and Safety Code, and as defined in subdivision (r) of Section 11400.

(2) An approved supervised independent living setting for nonminor dependents, as defined in subdivision (w) of Section 11400.

(e) A licensed foster family agency, as defined in subdivision (g) of Section 11400 and paragraph (4) of subdivision (a) of Section 1502 of the Health and Safety Code, for placement into a certified or approved home.

(f) A short-term residential treatment center licensed as a community care facility, as defined in subdivision (ad) of Section

1 11400 and paragraph (18) of subdivision (a) of Section 1502 of
2 the Health and Safety Code.

3 (g) An out-of-state group home that meets the requirements of
4 paragraph (2) of subdivision (c) of Section 11460, provided that
5 the placement worker, in addition to complying with all other
6 statutory requirements for placing a child or youth in an out-of-state
7 group home, documents that the requirements of Section 7911.1
8 of the Family Code have been met.

9 (h) A community treatment facility set forth in Article 5
10 (commencing with Section 4094) of Chapter 3 of Part 1 of Division
11 4.

12 (i) This section shall become operative on January 1, 2017.

13 *SEC. 15. Section 11450 of the Welfare and Institutions Code*
14 *is amended to read:*

15 11450. (a) (1) (A) Aid shall be paid for each needy family,
16 which shall include all eligible brothers and sisters of each eligible
17 applicant or recipient child and the parents of the children, but
18 shall not include unborn children, or recipients of aid under Chapter
19 3 (commencing with Section 12000), qualified for aid under this
20 chapter. In determining the amount of aid paid, and notwithstanding
21 the minimum basic standards of adequate care specified in Section
22 11452, the family's income, exclusive of any amounts considered
23 exempt as income or paid pursuant to subdivision (e) or Section
24 11453.1, determined for the prospective semiannual period
25 pursuant to Sections 11265.1, 11265.2, and 11265.3, and then
26 calculated pursuant to Section 11451.5, shall be deducted from
27 the sum specified in the following table, as adjusted for
28 cost-of-living increases pursuant to Section 11453 and paragraph
29 (2). In no case shall the amount of aid paid for each month exceed
30 the sum specified in the following table, as adjusted for
31 cost-of-living increases pursuant to Section 11453 and paragraph
32 (2), plus any special needs, as specified in subdivisions (c), (e),
33 and (f):

35	Number of	
36	eligible needy	
37	persons in	Maximum
38	the same home	aid
39	1.....	\$ 326
40	2.....	535

1	Number of	
2	eligible needy	
3	persons in	Maximum
4	the same home	aid
5	3.....	663
6	4.....	788
7	5.....	899
8	6.....	1,010
9	7.....	1,109
10	8.....	1,209
11	9.....	1,306
12	10 or more.....	1,403

13

14 (B) If, when, and during those times that the United States
15 government increases or decreases its contributions in assistance
16 of needy children in this state above or below the amount paid on
17 July 1, 1972, the amounts specified in the above table shall be
18 increased or decreased by an amount equal to that increase or
19 decrease by the United States government, provided that no
20 increase or decrease shall be subject to subsequent adjustment
21 pursuant to Section 11453.

22 (2) The sums specified in paragraph (1) shall not be adjusted
23 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
24 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
25 October 31, 1998, nor shall that amount be included in the base
26 for calculating any cost-of-living increases for any fiscal year
27 thereafter. Elimination of the cost-of-living adjustment pursuant
28 to this paragraph shall satisfy the requirements of Section 11453.05,
29 and no further reduction shall be made pursuant to that section.

30 (b) (1) When the family does not include a needy child qualified
31 for aid under this chapter, aid shall be paid to a pregnant child who
32 is 18 years of age or younger at any time after verification of
33 pregnancy, in the amount that would otherwise be paid to one
34 person, as specified in subdivision (a), if the child and her child,
35 if born, would have qualified for aid under this chapter. Verification
36 of pregnancy shall be required as a condition of eligibility for aid
37 under this subdivision.

38 (2) Notwithstanding paragraph (1), when the family does not
39 include a needy child qualified for aid under this chapter, aid shall
40 be paid to a pregnant woman for the month in which the birth is

1 anticipated and for the six-month period immediately prior to the
2 month in which the birth is anticipated, in the amount that would
3 otherwise be paid to one person, as specified in subdivision (a), if
4 the woman and child, if born, would have qualified for aid under
5 this chapter. Verification of pregnancy shall be required as a
6 condition of eligibility for aid under this subdivision.

7 (3) Paragraph (1) shall apply only when the Cal-Learn Program
8 is operative.

9 (c) The amount of forty-seven dollars (\$47) per month shall be
10 paid to pregnant women qualified for aid under subdivision (a) or
11 (b) to meet special needs resulting from pregnancy if the woman
12 and child, if born, would have qualified for aid under this chapter.
13 County welfare departments shall refer all recipients of aid under
14 this subdivision to a local provider of the Women, Infants, and
15 Children program. If that payment to pregnant women qualified
16 for aid under subdivision (a) is considered income under federal
17 law in the first five months of pregnancy, payments under this
18 subdivision shall not apply to persons eligible under subdivision
19 (a), except for the month in which birth is anticipated and for the
20 three-month period immediately prior to the month in which
21 delivery is anticipated, if the woman and child, if born, would have
22 qualified for aid under this chapter.

23 (d) For children receiving AFDC-FC under this chapter, there
24 shall be paid, exclusive of any amount considered exempt as
25 income, an amount of aid each month that, when added to the
26 child's income, is equal to the rate specified in Section 11460,
27 11461, 11462, 11462.1, or 11463. In addition, the child shall be
28 eligible for special needs, as specified in departmental regulations.

29 (e) In addition to the amounts payable under subdivision (a)
30 and Section 11453.1, a family shall be entitled to receive an
31 allowance for recurring special needs not common to a majority
32 of recipients. These recurring special needs shall include, but not
33 be limited to, special diets upon the recommendation of a physician
34 for circumstances other than pregnancy, and unusual costs of
35 transportation, laundry, housekeeping services, telephone, and
36 utilities. The recurring special needs allowance for each family
37 per month shall not exceed that amount resulting from multiplying
38 the sum of ten dollars (\$10) by the number of recipients in the
39 family who are eligible for assistance.

1 (f) After a family has used all available liquid resources, both
2 exempt and nonexempt, in excess of one hundred dollars (\$100),
3 with the exception of funds deposited in a restricted account
4 described in subdivision (a) of Section 11155.2, the family shall
5 also be entitled to receive an allowance for nonrecurring special
6 needs.

7 (1) An allowance for nonrecurring special needs shall be granted
8 for replacement of clothing and household equipment and for
9 emergency housing needs other than those needs addressed by
10 paragraph (2). These needs shall be caused by sudden and unusual
11 circumstances beyond the control of the needy family. The
12 department shall establish the allowance for each of the
13 nonrecurring special needs items. The sum of all nonrecurring
14 special needs provided by this subdivision shall not exceed six
15 hundred dollars (\$600) per event.

16 (2) (A) Homeless assistance is available to a homeless family
17 seeking shelter when the family is eligible for aid under this
18 chapter. Homeless assistance for temporary shelter is also available
19 to homeless families that are apparently eligible for aid under this
20 chapter. Apparent eligibility exists when evidence presented by
21 the applicant, or that is otherwise available to the county welfare
22 department, and the information provided on the application
23 documents indicate that there would be eligibility for aid under
24 this chapter if the evidence and information were verified.
25 However, an alien applicant who does not provide verification of
26 his or her eligible alien status, or a woman with no eligible children
27 who does not provide medical verification of pregnancy, is not
28 apparently eligible for purposes of this section.

29 (B) A family is considered homeless, for the purpose of this
30 section, when the family lacks a fixed and regular nighttime
31 residence; or the family has a primary nighttime residence that is
32 a supervised publicly or privately operated shelter designed to
33 provide temporary living accommodations; or the family is residing
34 in a public or private place not designed for, or ordinarily used as,
35 a regular sleeping accommodation for human beings. A family is
36 also considered homeless for the purpose of this section if the
37 family has received a notice to pay rent or quit. The family shall
38 demonstrate that the eviction is the result of a verified financial
39 hardship as a result of extraordinary circumstances beyond their
40 control, and not other lease or rental violations, and that the family

1 is experiencing a financial crisis that could result in homelessness
2 if preventative assistance is not provided.

3 ~~-(A)~~

4 (3) (A) (i) A nonrecurring special needs benefit of sixty-five
5 dollars (\$65) a day shall be available to families of up to four
6 members for the costs of temporary shelter, subject to the
7 requirements of this paragraph. The fifth and additional members
8 of the family shall each receive fifteen dollars (\$15) per day, up
9 to a daily maximum of one hundred twenty-five dollars (\$125).
10 County welfare departments may increase the daily amount
11 available for temporary shelter as necessary to secure the additional
12 bedspace needed by the family.

13 (ii) This special needs benefit shall be granted or denied
14 immediately upon the family's application for homeless assistance,
15 and benefits shall be available for up to three working days. The
16 county welfare department shall verify the family's homelessness
17 within the first three working days and if the family meets the
18 criteria of questionable homelessness established by the
19 department, the county welfare department shall refer the family
20 to its early fraud prevention and detection unit, if the county has
21 such a unit, for assistance in the verification of homelessness within
22 this period.

23 (iii) After homelessness has been verified, the three-day limit
24 shall be extended for a period of time which, when added to the
25 initial benefits provided, does not exceed a total of 16 calendar
26 days. This extension of benefits shall be done in increments of one
27 week and shall be based upon searching for permanent housing
28 which shall be documented on a housing search form, good cause,
29 or other circumstances defined by the department. Documentation
30 of a housing search shall be required for the initial extension of
31 benefits beyond the three-day limit and on a weekly basis thereafter
32 as long as the family is receiving temporary shelter benefits. Good
33 cause shall include, but is not limited to, situations in which the
34 county welfare department has determined that the family, to the
35 extent it is capable, has made a good faith but unsuccessful effort
36 to secure permanent housing while receiving temporary shelter
37 benefits.

38 (B) (i) A nonrecurring special needs benefit for permanent
39 housing assistance is available to pay for last month's rent and
40 security deposits when these payments are reasonable conditions

1 of securing a residence, or to pay for up to two months of rent
2 arrearages, when these payments are a reasonable condition of
3 preventing eviction.

4 (ii) The last month's rent or monthly arrearage portion of the
5 payment (I) shall not exceed 80 percent of the family's total
6 monthly household income without the value of CalFresh benefits
7 or special needs benefit for a family of that size and (II) shall only
8 be made to families that have found permanent housing costing
9 no more than 80 percent of the family's total monthly household
10 income without the value of CalFresh benefits or special needs
11 benefit for a family of that size.

12 (iii) However, if the county welfare department determines that
13 a family intends to reside with individuals who will be sharing
14 housing costs, the county welfare department shall, in appropriate
15 circumstances, set aside the condition specified in subclause (II)
16 of clause (ii).

17 (C) The nonrecurring special needs benefit for permanent
18 housing assistance is also available to cover the standard costs of
19 deposits for utilities which are necessary for the health and safety
20 of the family.

21 (D) A payment for or denial of permanent housing assistance
22 shall be issued no later than one working day from the time that a
23 family presents evidence of the availability of permanent housing.
24 If an applicant family provides evidence of the availability of
25 permanent housing before the county welfare department has
26 established eligibility for aid under this chapter, the county welfare
27 department shall complete the eligibility determination so that the
28 denial of or payment for permanent housing assistance is issued
29 within one working day from the submission of evidence of the
30 availability of permanent housing, unless the family has failed to
31 provide all of the verification necessary to establish eligibility for
32 aid under this chapter.

33 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
34 for the temporary shelter assistance and the permanent housing
35 assistance pursuant to this paragraph shall be limited to one period
36 of up to 16 consecutive calendar days of temporary assistance and
37 one payment of permanent assistance. Any family that includes a
38 parent or nonparent caretaker relative living in the home who has
39 previously received temporary or permanent homeless assistance
40 at any time on behalf of an eligible child shall not be eligible for

1 further homeless assistance. Any person who applies for homeless
2 assistance benefits shall be informed that the temporary shelter
3 benefit of up to 16 consecutive days is available only once in a
4 lifetime, with certain exceptions, and that a break in the consecutive
5 use of the benefit constitutes permanent exhaustion of the
6 temporary benefit.

7 (ii) A family that becomes homeless as a direct and primary
8 result of a state or federally declared natural disaster shall be
9 eligible for temporary and permanent homeless assistance.

10 (iii) A family shall be eligible for temporary and permanent
11 homeless assistance when homelessness is a direct result of
12 domestic violence by a spouse, partner, or roommate; physical or
13 mental illness that is medically verified that shall not include a
14 diagnosis of alcoholism, drug addiction, or psychological stress;
15 ~~or~~, or the uninhabitability of the former residence caused by sudden
16 and unusual circumstances beyond the control of the family
17 including natural catastrophe, fire, or condemnation. These
18 circumstances shall be verified by a third-party governmental or
19 private health and human services agency, except that domestic
20 violence may also be verified by a sworn statement by the victim,
21 as provided under Section 11495.25. Homeless assistance payments
22 based on these specific circumstances may not be received more
23 often than once in any 12-month period. In addition, if the domestic
24 violence is verified by a sworn statement by the victim, the
25 homeless assistance payments shall be limited to two periods of
26 not more than 16 consecutive calendar days of temporary assistance
27 and two payments of permanent assistance. A county may require
28 that a recipient of homeless assistance benefits who qualifies under
29 this paragraph for a second time in a 24-month period participate
30 in a homelessness avoidance case plan as a condition of eligibility
31 for homeless assistance benefits. The county welfare department
32 shall immediately inform recipients who verify domestic violence
33 by a sworn statement of the availability of domestic violence
34 counseling and services, and refer those recipients to services upon
35 request.

36 (iv) If a county requires a recipient who verifies domestic
37 violence by a sworn statement to participate in a homelessness
38 avoidance case plan pursuant to clause (iii), the plan shall include
39 the provision of domestic violence services, if appropriate.

1 (v) If a recipient seeking homeless assistance based on domestic
2 violence pursuant to clause (iii) has previously received homeless
3 avoidance services based on domestic violence, the county shall
4 review whether services were offered to the recipient and consider
5 what additional services would assist the recipient in leaving the
6 domestic violence situation.

7 (vi) The county welfare department shall report necessary data
8 to the department through a statewide homeless assistance payment
9 indicator system, as requested by the department, regarding all
10 recipients of aid under this paragraph.

11 (F) The county welfare departments, and all other entities
12 participating in the costs of the CalWORKs program, have the
13 right in their share to any refunds resulting from payment of the
14 permanent housing. However, if an emergency requires the family
15 to move within the 12-month period specified in subparagraph
16 (E), the family shall be allowed to use any refunds received from
17 its deposits to meet the costs of moving to another residence.

18 (G) Payments to providers for temporary shelter and permanent
19 housing and utilities shall be made on behalf of families requesting
20 these payments.

21 (H) The daily amount for the temporary shelter special needs
22 benefit for homeless assistance may be increased if authorized by
23 the current year's Budget Act by specifying a different daily
24 allowance and appropriating the funds therefor.

25 (I) No payment shall be made pursuant to this paragraph unless
26 the provider of housing is a commercial establishment, shelter, or
27 person in the business of renting properties who has a history of
28 renting properties.

29 (g) The department shall establish rules and regulations ensuring
30 the uniform statewide application of this section.

31 (h) The department shall notify all applicants and recipients of
32 aid through the standardized application form that these benefits
33 are available and shall provide an opportunity for recipients to
34 apply for the funds quickly and efficiently.

35 (i) (A) Except for the purposes of Section 15200, the amounts
36 payable to recipients pursuant to Section 11453.1 shall not
37 constitute part of the payment schedule set forth in subdivision
38 (a).

(B) The amounts payable to recipients pursuant to Section 11453.1 shall not constitute income to recipients of aid under this section.

(j) For children receiving Kin-GAP pursuant to Article 4.5 (commencing with Section 11360) or Article 4.7 (commencing with Section 11385) there shall be paid, exclusive of any amount considered exempt as income, an amount of aid each month, which, when added to the child's income, is equal to the rate specified in Sections 11364 and 11387.

(k) (1) A county shall implement the semiannual reporting requirements in accordance with Chapter 501 of the Statutes of 2011 no later than October 1, 2013.

(2) Upon completion of the implementation described in paragraph (1), each county shall provide a certificate to the director certifying that semiannual reporting has been implemented in the county.

(3) Upon filing the certificate described in paragraph (2), a county shall comply with the semiannual reporting provisions of this section.

(l) This section shall become operative on July 1, 2015.

(m) *This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.*

SEC. 16. Section 11450 is added to the Welfare and Institutions Code, to read:

11450. (a) (1) (A) Aid shall be paid for each needy family, which shall include all eligible brothers and sisters of each eligible applicant or recipient child and the parents of the children, but shall not include unborn children, or recipients of aid under Chapter 3 (commencing with Section 12000), qualified for aid under this chapter. In determining the amount of aid paid, and notwithstanding the minimum basic standards of adequate care specified in Section 11452, the family's income, exclusive of any amounts considered exempt as income or paid pursuant to subdivision (e) or Section 11453.1, determined for the prospective semiannual period pursuant to Sections 11265.1, 11265.2, and 11265.3, and then calculated pursuant to Section 11451.5, shall be deducted from the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453

and paragraph (2). In no case shall the amount of aid paid for each month exceed the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2), plus any special needs, as specified in subdivisions (c), (e), and (f):

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

(B) If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. Elimination of the cost-of-living adjustment pursuant to this paragraph shall satisfy the requirements of Section 11453.05, and no further reduction shall be made pursuant to that section.

(b) (1) When the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant child

1 *who is 18 years of age or younger at any time after verification of*
2 *pregnancy, in the amount that would otherwise be paid to one*
3 *person, as specified in subdivision (a), if the child and her child,*
4 *if born, would have qualified for aid under this chapter.*
5 *Verification of pregnancy shall be required as a condition of*
6 *eligibility for aid under this subdivision.*

7 *(2) Notwithstanding paragraph (1), when the family does not*
8 *include a needy child qualified for aid under this chapter, aid shall*
9 *be paid to a pregnant woman for the month in which the birth is*
10 *anticipated and for the six-month period immediately prior to the*
11 *month in which the birth is anticipated, in the amount that would*
12 *otherwise be paid to one person, as specified in subdivision (a),*
13 *if the woman and child, if born, would have qualified for aid under*
14 *this chapter. Verification of pregnancy shall be required as a*
15 *condition of eligibility for aid under this subdivision.*

16 *(3) Paragraph (1) shall apply only when the Cal-Learn Program*
17 *is operative.*

18 *(c) The amount of forty-seven dollars (\$47) per month shall be*
19 *paid to pregnant women qualified for aid under subdivision (a)*
20 *or (b) to meet special needs resulting from pregnancy if the woman*
21 *and child, if born, would have qualified for aid under this chapter.*
22 *County welfare departments shall refer all recipients of aid under*
23 *this subdivision to a local provider of the Women, Infants, and*
24 *Children program. If that payment to pregnant women qualified*
25 *for aid under subdivision (a) is considered income under federal*
26 *law in the first five months of pregnancy, payments under this*
27 *subdivision shall not apply to persons eligible under subdivision*
28 *(a), except for the month in which birth is anticipated and for the*
29 *three-month period immediately prior to the month in which*
30 *delivery is anticipated, if the woman and child, if born, would have*
31 *qualified for aid under this chapter.*

32 *(d) For children receiving AFDC-FC under this chapter, there*
33 *shall be paid, exclusive of any amount considered exempt as*
34 *income, an amount of aid each month that, when added to the*
35 *child's income, is equal to the rate specified in Section 11460,*
36 *11461, 11462, 11462.1, or 11463. In addition, the child shall be*
37 *eligible for special needs, as specified in departmental regulations.*

38 *(e) In addition to the amounts payable under subdivision (a)*
39 *and Section 11453.1, a family shall be entitled to receive an*
40 *allowance for recurring special needs not common to a majority*

1 of recipients. These recurring special needs shall include, but not
2 be limited to, special diets upon the recommendation of a physician
3 for circumstances other than pregnancy, and unusual costs of
4 transportation, laundry, housekeeping services, telephone, and
5 utilities. The recurring special needs allowance for each family
6 per month shall not exceed that amount resulting from multiplying
7 the sum of ten dollars (\$10) by the number of recipients in the
8 family who are eligible for assistance.

9 (f) After a family has used all available liquid resources, both
10 exempt and nonexempt, in excess of one hundred dollars (\$100),
11 with the exception of funds deposited in a restricted account
12 described in subdivision (a) of Section 11155.2, the family shall
13 also be entitled to receive an allowance for nonrecurring special
14 needs.

15 (1) An allowance for nonrecurring special needs shall be
16 granted for replacement of clothing and household equipment and
17 for emergency housing needs other than those needs addressed by
18 paragraph (2). These needs shall be caused by sudden and unusual
19 circumstances beyond the control of the needy family. The
20 department shall establish the allowance for each of the
21 nonrecurring special needs items. The sum of all nonrecurring
22 special needs provided by this subdivision shall not exceed six
23 hundred dollars (\$600) per event.

24 (2) (A) Homeless assistance is available to a homeless family
25 seeking shelter when the family is eligible for aid under this
26 chapter. Homeless assistance for temporary shelter is also
27 available to homeless families that are apparently eligible for aid
28 under this chapter. Apparent eligibility exists when evidence
29 presented by the applicant, or that is otherwise available to the
30 county welfare department, and the information provided on the
31 application documents indicate that there would be eligibility for
32 aid under this chapter if the evidence and information were
33 verified. However, an alien applicant who does not provide
34 verification of his or her eligible alien status, or a woman with no
35 eligible children who does not provide medical verification of
36 pregnancy, is not apparently eligible for purposes of this section.

37 (B) A family is considered homeless, for the purpose of this
38 section, when the family lacks a fixed and regular nighttime
39 residence; or the family has a primary nighttime residence that is
40 a supervised publicly or privately operated shelter designed to

1 provide temporary living accommodations; or the family is residing
2 in a public or private place not designed for, or ordinarily used
3 as, a regular sleeping accommodation for human beings. A family
4 is also considered homeless for the purpose of this section if the
5 family has received a notice to pay rent or quit. The family shall
6 demonstrate that the eviction is the result of a verified financial
7 hardship as a result of extraordinary circumstances beyond their
8 control, and not other lease or rental violations, and that the family
9 is experiencing a financial crisis that could result in homelessness
10 if preventative assistance is not provided.

11 (3) (A) (i) A nonrecurring special needs benefit of sixty-five
12 dollars (\$65) a day shall be available to families of up to four
13 members for the costs of temporary shelter, subject to the
14 requirements of this paragraph. The fifth and additional members
15 of the family shall each receive fifteen dollars (\$15) per day, up
16 to a daily maximum of one hundred twenty-five dollars (\$125).
17 County welfare departments may increase the daily amount
18 available for temporary shelter as necessary to secure the
19 additional bedspace needed by the family.

20 (ii) This special needs benefit shall be granted or denied
21 immediately upon the family's application for homeless assistance,
22 and benefits shall be available for up to three working days. The
23 county welfare department shall verify the family's homelessness
24 within the first three working days and if the family meets the
25 criteria of questionable homelessness established by the
26 department, the county welfare department shall refer the family
27 to its early fraud prevention and detection unit, if the county has
28 such a unit, for assistance in the verification of homelessness within
29 this period.

30 (iii) After homelessness has been verified, the three-day limit
31 shall be extended for a period of time which, when added to the
32 initial benefits provided, does not exceed a total of 16 calendar
33 days. This extension of benefits shall be done in increments of one
34 week and shall be based upon searching for permanent housing
35 which shall be documented on a housing search form, good cause,
36 or other circumstances defined by the department. Documentation
37 of a housing search shall be required for the initial extension of
38 benefits beyond the three-day limit and on a weekly basis thereafter
39 as long as the family is receiving temporary shelter benefits. Good
40 cause shall include, but is not limited to, situations in which the

1 county welfare department has determined that the family, to the
2 extent it is capable, has made a good faith but unsuccessful effort
3 to secure permanent housing while receiving temporary shelter
4 benefits.

5 (B) (i) A nonrecurring special needs benefit for permanent
6 housing assistance is available to pay for last month's rent and
7 security deposits when these payments are reasonable conditions
8 of securing a residence, or to pay for up to two months of rent
9 arrearages, when these payments are a reasonable condition of
10 preventing eviction.

11 (ii) The last month's rent or monthly arrearage portion of the
12 payment (I) shall not exceed 80 percent of the family's total
13 monthly household income without the value of CalFresh benefits
14 or special needs benefit for a family of that size and (II) shall only
15 be made to families that have found permanent housing costing
16 no more than 80 percent of the family's total monthly household
17 income without the value of CalFresh benefits or special needs
18 benefit for a family of that size.

19 (iii) However, if the county welfare department determines that
20 a family intends to reside with individuals who will be sharing
21 housing costs, the county welfare department shall, in appropriate
22 circumstances, set aside the condition specified in subclause (II)
23 of clause (ii).

24 (C) The nonrecurring special needs benefit for permanent
25 housing assistance is also available to cover the standard costs
26 of deposits for utilities which are necessary for the health and
27 safety of the family.

28 (D) A payment for or denial of permanent housing assistance
29 shall be issued no later than one working day from the time that
30 a family presents evidence of the availability of permanent housing.
31 If an applicant family provides evidence of the availability of
32 permanent housing before the county welfare department has
33 established eligibility for aid under this chapter, the county welfare
34 department shall complete the eligibility determination so that the
35 denial of or payment for permanent housing assistance is issued
36 within one working day from the submission of evidence of the
37 availability of permanent housing, unless the family has failed to
38 provide all of the verification necessary to establish eligibility for
39 aid under this chapter.

1 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
2 for the temporary shelter assistance and the permanent housing
3 assistance pursuant to this paragraph shall be limited to one period
4 of up to 16 consecutive calendar days of temporary assistance and
5 one payment of permanent assistance every 12 months. A person
6 who applies for homeless assistance benefits shall be informed
7 that the temporary shelter benefit of up to 16 consecutive days is
8 available only once every 12 months, with certain exceptions, and
9 that a break in the consecutive use of the benefit constitutes
10 exhaustion of the temporary benefit for that 12-month period.

11 (ii) A family that becomes homeless as a direct and primary
12 result of a state or federally declared natural disaster shall be
13 eligible for temporary and permanent homeless assistance.

14 (iii) A family shall be eligible for temporary and permanent
15 homeless assistance when homelessness is a direct result of
16 domestic violence by a spouse, partner, or roommate; physical or
17 mental illness that is medically verified that shall not include a
18 diagnosis of alcoholism, drug addiction, or psychological stress;
19 or, the uninhabitability of the former residence caused by sudden
20 and unusual circumstances beyond the control of the family
21 including natural catastrophe, fire, or condemnation. These
22 circumstances shall be verified by a third-party governmental or
23 private health and human services agency, except that domestic
24 violence may also be verified by a sworn statement by the victim,
25 as provided under Section 11495.25. Homeless assistance payments
26 based on these specific circumstances may not be received more
27 often than once in any 12-month period. In addition, if the domestic
28 violence is verified by a sworn statement by the victim, the homeless
29 assistance payments shall be limited to two periods of not more
30 than 16 consecutive calendar days of temporary assistance and
31 two payments of permanent assistance. A county may require that
32 a recipient of homeless assistance benefits who qualifies under
33 this paragraph for a second time in a 24-month period participate
34 in a homelessness avoidance case plan as a condition of eligibility
35 for homeless assistance benefits. The county welfare department
36 shall immediately inform recipients who verify domestic violence
37 by a sworn statement of the availability of domestic violence
38 counseling and services, and refer those recipients to services
39 upon request.

1 (iv) If a county requires a recipient who verifies domestic
2 violence by a sworn statement to participate in a homelessness
3 avoidance case plan pursuant to clause (iii), the plan shall include
4 the provision of domestic violence services, if appropriate.

5 (v) If a recipient seeking homeless assistance based on domestic
6 violence pursuant to clause (iii) has previously received homeless
7 avoidance services based on domestic violence, the county shall
8 review whether services were offered to the recipient and consider
9 what additional services would assist the recipient in leaving the
10 domestic violence situation.

11 (vi) The county welfare department shall report necessary data
12 to the department through a statewide homeless assistance payment
13 indicator system, as requested by the department, regarding all
14 recipients of aid under this paragraph.

15 (F) The county welfare departments, and all other entities
16 participating in the costs of the CalWORKs program, have the
17 right in their share to any refunds resulting from payment of the
18 permanent housing. However, if an emergency requires the family
19 to move within the 12-month period specified in subparagraph
20 (E), the family shall be allowed to use any refunds received from
21 its deposits to meet the costs of moving to another residence.

22 (G) Payments to providers for temporary shelter and permanent
23 housing and utilities shall be made on behalf of families requesting
24 these payments.

25 (H) The daily amount for the temporary shelter special needs
26 benefit for homeless assistance may be increased if authorized by
27 the current year's Budget Act by specifying a different daily
28 allowance and appropriating the funds therefor.

29 (I) No payment shall be made pursuant to this paragraph unless
30 the provider of housing is a commercial establishment, shelter, or
31 person in the business of renting properties who has a history of
32 renting properties.

33 (g) The department shall establish rules and regulations
34 ensuring the uniform statewide application of this section.

35 (h) The department shall notify all applicants and recipients of
36 aid through the standardized application form that these benefits
37 are available and shall provide an opportunity for recipients to
38 apply for the funds quickly and efficiently.

39 (i) (A) Except for the purposes of Section 15200, the amounts
40 payable to recipients pursuant to Section 11453.1 shall not

1 constitute part of the payment schedule set forth in subdivision
2 (a).

3 (B) The amounts payable to recipients pursuant to Section
4 11453.1 shall not constitute income to recipients of aid under this
5 section.

6 (j) For children receiving Kin-GAP pursuant to Article 4.5
7 (commencing with Section 11360) or Article 4.7 (commencing with
8 Section 11385) there shall be paid, exclusive of any amount
9 considered exempt as income, an amount of aid each month, which,
10 when added to the child's income, is equal to the rate specified in
11 Sections 11364 and 11387.

12 (k) (1) A county shall implement the semiannual reporting
13 requirements in accordance with Chapter 501 of the Statutes of
14 2011 no later than October 1, 2013.

15 (2) Upon completion of the implementation described in
16 paragraph (1), each county shall provide a certificate to the
17 director certifying that semiannual reporting has been implemented
18 in the county.

19 (3) Upon filing the certificate described in paragraph (2), a
20 county shall comply with the semiannual reporting provisions of
21 this section.

22 (l) This section shall become operative on January 1, 2017.

23 SEC. 17. Section 11450.025 of the Welfare and Institutions
24 Code is amended to read:

25 11450.025. (a) (1) Notwithstanding any other law, effective
26 on March 1, 2014, the maximum aid payments in effect on July
27 1, 2012, as specified in subdivision (b) of Section 11450.02, shall
28 be increased by 5 percent.

29 (2) Effective April 1, 2015, the maximum aid payments in effect
30 on July 1, 2014, as specified in paragraph (1), shall be increased
31 by 5 percent.

32 (3) Effective October 1, 2016, the maximum aid payments in
33 effect on July 1, 2016, as specified in paragraph (2), shall be
34 increased by 1.43 percent.

35 (4) (A) Effective January 1, 2017, households eligible for aid
36 under this chapter shall receive an increased aid payment
37 consistent with the repeal of former Section 11450.04, as it read
38 on January 1, 2016, known as the "maximum family grant rule."

39 (B) In recognition of the increased cost of aid payments resulting
40 from that repeal, moneys deposited into the Child Poverty and

1 *Family Supplemental Support Subaccount shall be allocated to*
2 *counties pursuant to Section 17601.50 as follows:*

3 *(i) One hundred seven million forty-seven thousand dollars*
4 *(\$107,047,000) for January 1, 2017, to June 30, 2017, inclusive.*

5 *(ii) Two hundred twenty-three million four hundred fifty-four*
6 *thousand dollars (\$223,454,000) for the 2017–18 fiscal year and*
7 *for every fiscal year thereafter.*

8 (b) Commencing in 2014 and annually thereafter, on or before
9 January 10 and on or before May 14, the Director of Finance shall
10 do all of the following:

11 (1) Estimate the amount of growth revenues pursuant to
12 subdivision (f) of Section 17606.10 that will be deposited in the
13 Child Poverty and Family Supplemental Support Subaccount of
14 the Local Revenue Fund for the current fiscal year and the
15 following fiscal year and the amounts in the subaccount carried
16 over from prior fiscal years.

17 (2) For the current fiscal year and the following fiscal year,
18 determine the total cost of providing the increases described in
19 subdivision (a), as well as any other increase in the maximum aid
20 payments subsequently provided only under this section, after
21 adjusting for updated projections of CalWORKs costs associated
22 with caseload changes, as reflected in the local assistance
23 subvention estimates prepared by the State Department of Social
24 Services and released with the annual Governor's Budget and
25 subsequent May Revision update.

26 (3) If the amount estimated in paragraph (1) plus the amount
27 projected to be deposited for the current fiscal year into the Child
28 Poverty and Family Supplemental Support Subaccount pursuant
29 to subparagraph (3) of subdivision (e) of Section 17600.15 is
30 greater than the amount determined in paragraph (2), the difference
31 shall be used to calculate the percentage increase to the CalWORKs
32 maximum aid payment standards that could be fully funded on an
33 ongoing basis beginning the following fiscal year.

34 (4) If the amount estimated in paragraph (1) plus the amount
35 projected to be deposited for the current fiscal year into the Child
36 Poverty and Family Supplemental Support Subaccount pursuant
37 to subparagraph (3) of subdivision (e) of Section 17600.15 is equal
38 to or less than the amount determined in paragraph (2), no
39 additional increase to the CalWORKs maximum aid payment

1 standards shall be provided in the following fiscal year in
2 accordance with this section.

3 (5) (A) Commencing with the 2014–15 fiscal year and for all
4 fiscal years thereafter, if changes to the estimated amounts
5 determined in paragraphs (1) or (2), or both, as of the May
6 Revision, are enacted as part of the final budget, the Director of
7 Finance shall repeat, using the same methodology used in the May
8 Revision, the calculations described in paragraphs (3) and (4) using
9 the revenue projections and grant costs assumed in the enacted
10 budget.

11 (B) If a calculation is required pursuant to subparagraph (A),
12 the Department of Finance shall report the result of this calculation
13 to the appropriate policy and fiscal committees of the Legislature
14 upon enactment of the Budget Act.

15 (c) An increase in maximum aid payments calculated pursuant
16 to paragraph (3) of subdivision (b), or pursuant to paragraph (5)
17 of subdivision (b) if applicable, shall become effective on October
18 1 of the following fiscal year.

19 (d) (1) An increase in maximum aid payments provided in
20 accordance with this section shall be funded with growth revenues
21 from the Child Poverty and Family Supplemental Support
22 Subaccount in accordance with paragraph (3) of subdivision (e)
23 of Section 17600.15 and subdivision (f) of Section 17606.10, to
24 the extent funds are available in that subaccount.

25 (2) If funds received by the Child Poverty and Family
26 Supplemental Support Subaccount in a particular fiscal year are
27 insufficient to fully fund any increases to maximum aid payments
28 made pursuant to this section, the remaining cost for that fiscal
29 year will be addressed through existing provisional authority
30 included in the annual Budget Act. Additional ~~grant~~ increases to
31 *the maximum aid payments* shall not be provided until and unless
32 the ongoing cumulative costs of all prior ~~grant~~ increases provided
33 pursuant to this section are fully funded by the Child Poverty and
34 Family Supplemental Support Subaccount.

35 (e) Notwithstanding Section 15200, counties shall not be
36 required to contribute a share of the costs to cover the increases
37 to maximum aid payments made pursuant to this section.

38 *SEC. 18. Section 11450.04 of the Welfare and Institutions Code*
39 *is amended to read:*

1 11450.04. (a) For purposes of determining the maximum aid
2 payment specified in subdivision (a) of Section 11450 and for no
3 other purpose, the number of needy persons in the same family
4 shall not be increased for any child born into a family that has
5 received aid under this chapter continuously for the 10 months
6 prior to the birth of the child. For purposes of this section, aid shall
7 be considered continuous unless the family does not receive aid
8 during two consecutive months. This subdivision shall not apply
9 to applicants for, or recipients of, aid unless notification is provided
10 pursuant to this section.

11 (b) This section shall not apply with respect to any of the
12 following children:

13 (1) Any child who was conceived as a result of an act of rape,
14 as defined in Sections 261 and 262 of the Penal Code, if the rape
15 was reported to a law enforcement agency, medical or mental
16 health professional or social services agency prior to, or within
17 three months after, the birth of the child.

18 (2) Any child who was conceived as a result of an incestuous
19 relationship if the relationship was reported to a medical or mental
20 health professional or a law enforcement agency or social services
21 agency prior to, or within three months after, the birth of the child,
22 or if paternity has been established.

23 (3) Any child who was conceived as a result of contraceptive
24 failure if the parent was using an intrauterine device, a Norplant,
25 or the sterilization of either parent.

26 (c) This section shall not apply to any child born on or before
27 November 1, 1995.

28 (d) (1) This section shall not apply to any child to whom it
29 would otherwise apply if the family has not received aid for 24
30 consecutive months while the child was living with the family.

31 (2) This section shall not apply to any child conceived when
32 either parent was a nonneedy caretaker relative.

33 (3) This section shall not apply to any child who is no longer
34 living in the same home with either parent.

35 (e) One hundred percent of any child support payment received
36 for a child born into the family, but for whom the maximum aid
37 payment is not increased pursuant to this section, shall be paid to
38 the assistance unit. Any such child support payment shall not be
39 considered as income to the family for the purpose of calculating
40 the amount of aid for which the family is eligible under this article.

(f) Commencing January 1, 1995, each county welfare department shall notify applicants for assistance under this chapter, in writing, of the provisions of this section. The notification shall also be provided to recipients of aid under this chapter, in writing, at the time of recertification, or sooner. The notification required by this section shall set forth the provisions of this section and shall state explicitly the impact these provisions would have on the future aid to the assistance unit. This section shall not apply to any recipient's child earlier than 12 months after the mailing of an informational notice as required by this subdivision.

(g) (1) The department shall seek all appropriate federal waivers for the implementation of this section.

(2) The department shall implement this section commencing on the date the Director of Social Services executes a declaration, that shall be retained by the director, stating that the administrative actions required by paragraph (1) as a condition of implementation of this section have been taken by the United States Secretary of Health and Human Services.

(h) Subdivisions (a) to (g), inclusive, shall become operative on January 1, 1995.

(i) *This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.*

SEC. 19. *Section 11461.3 of the Welfare and Institutions Code is amended to read:*

11461.3. (a) The Approved Relative Caregiver Funding Option Program is hereby established for the purpose of making the amount paid to approved relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC payments. This is an optional program for counties choosing to participate, and in so doing, participating counties agree to the terms of this section as a condition of their participation. It is the intent of the Legislature that the funding described in paragraph (1) of subdivision (g) for the Approved Relative Caregiver Funding Option Program be appropriated, and available for use from January through December of each year, unless otherwise specified.

(b) Subject to subdivision (e), effective January 1, 2015, participating counties shall pay an approved relative caregiver a

1 per child per month rate in return for the care and supervision, as
2 defined in subdivision (b) of Section 11460, of a child that is placed
3 with the relative caregiver that is equal to the basic rate paid to
4 foster care providers pursuant to subdivision (g) of Section 11461,
5 if both of the following conditions are met:

6 (1) The county with payment responsibility has notified the
7 department in writing by October 1 of the year before participation
8 begins of its decision to participate in the Approved Relative
9 Caregiver Funding Option Program.

10 (2) The related child placed in the home meets all of the
11 following requirements:

12 (A) The child resides in California.

13 (B) The child is described by subdivision (b), (c), or (e) of
14 Section 11401 and the county welfare department or the county
15 probation department is responsible for the placement and care of
16 the child.

17 (C) The child is not eligible for AFDC-FC while placed with
18 the approved relative caregiver because the child is not eligible
19 for federal financial participation in the AFDC-FC payment.

20 (c) Any income or benefits received by an eligible child or the
21 approved relative caregiver on behalf of the eligible child that
22 would be offset against the basic rate paid to a foster care provider
23 pursuant to subdivision (g) of Section 11461, shall be offset from
24 any funds that are not CalWORKs funds paid to the approved
25 relative caregiver pursuant to this section.

26 (d) Participating counties shall recoup an overpayment in the
27 Approved Relative Caregiver Funding Option Program received
28 by an approved relative caregiver using the standards and processes
29 for overpayment recoupment that are applicable to overpayments
30 to an approved home of a relative, as specified in Section 11466.24.
31 Recouped overpayments shall not be subject to remittance to the
32 federal government. Any overpaid funds that are collected by the
33 participating counties shall be remitted to the state after subtracting
34 both of the following:

35 (1) An amount not to exceed the county share of the CalWORKs
36 portion of the Approved Relative Caregiver Funding Option
37 Program payment, if any.

38 (2) Any other county funds that were included in the Approved
39 Relative Caregiver Funding Option Program payment.

(e) A county's election to participate in the Approved Relative Caregiver Funding Option Program shall affirmatively indicate that the county understands and agrees to all of the following conditions:

(1) Commencing October 1, 2014, the county shall notify the department in writing of its decision to participate in the Approved Relative Caregiver Funding Option Program. Failure to make timely notification, without good cause as determined by the department, shall preclude the county from participating in the program for the upcoming calendar year. Annually thereafter, any county not already participating who elects to do so shall notify the department in writing no later than October 1 of its decision to participate for the upcoming calendar year.

(2) The county shall confirm that it will make per child per month payments to all approved relative caregivers on behalf of eligible children in the amount specified in subdivision (b) for the duration of the participation of the county in this program.

(3) The county shall confirm that it will be solely responsible to pay any additional costs needed to make all payments pursuant to subdivision (b) if the state and federal funds allocated to the Approved Relative Caregiver Funding Option Program pursuant to paragraph (1) of subdivision (g) are insufficient to make all eligible payments.

(f) (1) A county deciding to opt out of the Approved Relative Caregiver Funding Option Program shall provide at least 120 days' prior written notice of that decision to the department. Additionally, the county shall provide at least 90 days' prior written notice to the approved relative caregiver or caregivers informing them that his or her per child per month payment will be reduced and the date that the reduction will occur.

(2) The department shall presume that all counties have opted out of the Approved Relative Caregiver Funding Option Program if the funding appropriated for the current 12-month period is reduced below the amount specified in subparagraph (B), subparagraph (C), or subparagraph (D) of paragraph (2) of subdivision (g) for that 12-month period, unless a county notifies the department in writing of its intent to opt in within 60 days of enactment of the State Budget. The counties shall provide at least 90 days' prior written notice to the approved relative caregiver or

1 caregivers informing them that his or her per child per month
2 payment will be reduced, and the date that reduction will occur.

3 (3) Any reduction in payments received by an approved relative
4 caregiver on behalf of a child under this section that results from
5 a decision by a county, including the presumed opt-out pursuant
6 to paragraph (2), to not participate in the Approved Relative
7 Caregiver Funding Option Program shall be exempt from state
8 hearing jurisdiction under Section 10950.

9 (g) (1) The following funding shall be used for the Approved
10 Relative Caregiver Funding Option Program:

11 (A) The applicable regional per-child CalWORKs grant, in
12 accordance with subdivision (a) of Section 11253.4.

13 (B) General Fund resources, as appropriated in paragraph (2).

14 (C) County funds only to the extent required under paragraph
15 (3) of subdivision (e).

16 (D) Funding described in subparagraphs (A) and (B) is intended
17 to fully fund the base caseload of approved relative caregivers,
18 which is defined as the number of approved relative caregivers
19 caring for a child who is not eligible to receive AFDC-FC
20 payments, as of July 1, 2014.

21 (2) The following amount is hereby appropriated from the
22 General Fund as follows:

23 (A) The sum of fifteen million dollars (\$15,000,000), for the
24 period of January 1, 2015, to June 30, 2015, inclusive.

25 (B) For the period of July 1, 2015, to June 30, 2016, inclusive,
26 there shall be appropriated an amount equal to the sum of all of
27 the following:

28 (i) Two times the amount appropriated pursuant to subparagraph
29 (A), inclusive of any increase pursuant to paragraph (3).

30 (ii) The amount necessary to increase or decrease the
31 CalWORKs funding associated with the base caseload described
32 in subparagraph (D) of paragraph (1) to reflect any change from
33 the prior fiscal year in the applicable regional per-child CalWORKs
34 grant described in subparagraph (A) of paragraph (1).

35 (iii) The additional amount necessary to fully fund the base
36 caseload described in subparagraph (D) of paragraph (1), reflective
37 of the annual California Necessities Index increase to the basic
38 rate paid to foster care providers.

39 (C) For every 12-month period thereafter, commencing with
40 the period of July 1, 2016, to June 30, 2017, inclusive, the sum of

1 all of the following shall be appropriated for purposes of this
2 section:

3 (i) The total General Fund amount provided pursuant to this
4 paragraph for the previous 12-month period.

5 (ii) The amount necessary to increase or decrease the
6 CalWORKs funding associated with the base caseload described
7 in subparagraph (D) of paragraph (1) to reflect any change from
8 the prior fiscal year in the applicable regional per-child CalWORKs
9 grant described in subparagraph (A) of paragraph (1).

10 (iii) The additional amount necessary to fully fund the base
11 caseload described in subparagraph (D) of paragraph (1), reflective
12 of the annual California Necessities Index increase to the basic
13 rate paid to foster care providers.

14 (D) Notwithstanding clauses (ii) and (iii) of subparagraph (B)
15 and clauses (ii) and (iii) of subparagraph (C), the total General
16 Fund appropriation made pursuant to subparagraph (B) shall not
17 be less than the greater of the following amounts:

18 (i) Thirty million dollars (\$30,000,000).

19 (ii) Two times the amount appropriated pursuant to subparagraph
20 (A), inclusive of any increase pursuant to paragraph (3).

21 (3) To the extent that the appropriation made by subparagraph
22 (A) of paragraph (2) is insufficient to fully fund the base caseload
23 of approved relative caregivers as of July 1, 2014, as described in
24 subparagraph (D) of paragraph (1), for the period of January 1,
25 2015, to June 30, 2015, inclusive, as jointly determined by the
26 department and the County Welfare Directors' Association and
27 approved by the Department of Finance on or before October 1,
28 2015, the amount specified in subparagraph (A) of paragraph (2)
29 shall be increased by the amount necessary to fully fund that base
30 caseload.

31 (4) Funds available pursuant to paragraph (2) shall be allocated
32 to participating counties proportionate to the number of their
33 approved relative caregiver placements, using a methodology and
34 timing developed by the department, following consultation with
35 county human services agencies and their representatives.

36 (5) Notwithstanding subdivision (e), if in any calendar year the
37 entire amount of funding appropriated by the state for the Approved
38 Relative Caregiver Funding Option Program has not been fully
39 allocated to or utilized by participating counties, a participating
40 county that has paid any funds pursuant to subparagraph (C) of

1 paragraph (1) of subdivision (g) may request reimbursement for
2 those funds from the department. The authority of the department
3 to approve the requests shall be limited by the amount of available
4 unallocated funds.

5 (h) An approved relative caregiver receiving payments on behalf
6 of a child pursuant to this section shall not be eligible to receive
7 additional CalWORKs payments on behalf of the same child under
8 Section 11450.

9 (i) To the extent permitted by federal law, payments received
10 by the approved relative caregiver from the Approved Relative
11 Caregiver Funding Option Program shall not be considered income
12 for the purpose of determining other public benefits.

13 (j) Prior to referral of any individual or recipient, or that person's
14 case, to the local child support agency for child support services
15 pursuant to Section 17415 of the Family Code, the county human
16 services agency shall determine if an applicant or recipient has
17 good cause for noncooperation, as set forth in Section 11477.04.
18 If the applicant or recipient claims good cause exception at any
19 subsequent time to the county human services agency or the local
20 child support agency, the local child support agency shall suspend
21 child support services until the county social services agency
22 determines the good cause claim, as set forth in Section 11477.04.
23 If good cause is determined to exist, the local child support agency
24 shall suspend child support services until the applicant or recipient
25 requests their resumption, and shall take other measures that are
26 necessary to protect the applicant or recipient and the children. If
27 the applicant or recipient is the parent of the child for whom aid
28 is sought and the parent is found to have not cooperated without
29 good cause as provided in Section 11477.04, the applicant's or
30 recipient's family grant shall be reduced by 25 percent for the time
31 the failure to cooperate lasts.

32 (k) Consistent with Section 17552 of the Family Code, if aid is
33 paid under this chapter on behalf of a child who is under the
34 jurisdiction of the juvenile court and whose parent or guardian is
35 receiving reunification services, the county human services agency
36 shall determine, prior to referral of the case to the local child
37 support agency for child support services, whether the referral is
38 in the best interest of the child, taking into account both of the
39 following:

1 (1) Whether the payment of support by the parent will pose a
2 barrier to the proposed reunification in that the payment of support
3 will compromise the parent's ability to meet the requirements of
4 the parent's reunification plan.

5 (2) Whether the payment of support by the parent will pose a
6 barrier to the proposed reunification in that the payment of support
7 will compromise the parent's current or future ability to meet the
8 financial needs of the child.

9 *(l) Effective January 1, 2017, if a relative has been approved*
10 *as a resource family pursuant to Section 16519.5, the approved*
11 *relative shall be paid an amount equal to the resource family basic*
12 *rate at the child's assessed level of care as set forth in subdivision*
13 *(g) of Section 11461 and Section 11463.*

14 *SEC. 20. Section 11461.4 is added to the Welfare and*
15 *Institutions Code, to read:*

16 *11461.4. (a) Notwithstanding any other law, a tribe that has*
17 *entered into an agreement pursuant to Section 10553.1 may,*
18 *subject to the provisions of this section, elect to participate in the*
19 *Tribal Approved Relative Caregiver Funding Option Program.*

20 *(b) (1) In return for the care and supervision of a child placed*
21 *with an approved relative caregiver, a participating tribe shall*
22 *pay the approved relative caregiver a per child per month rate*
23 *that, when added to the tribal Temporary Aid to Needy Families*
24 *(tribal TANF) benefit received by the approved relative caregiver*
25 *on behalf of the child, shall equal the basic rate paid to a foster*
26 *care provider pursuant to subdivision (g) of Section 11461.*

27 *(2) Payments made pursuant to paragraph (1) shall be made*
28 *only if all of the following conditions exist:*

29 *(A) The tribe has notified the department in writing of its*
30 *decision to participate in the program, consistent with subdivision*
31 *(c).*

32 *(B) The child has been removed from the parent or guardian*
33 *and has been placed into the placement and care responsibility of*
34 *the tribal child welfare agency pursuant to a voluntary placement*
35 *agreement or by the tribal court, consistent with the tribe's Title*
36 *IV-E agreement.*

37 *(C) The child resides within California.*

38 *(D) The caregiver is receiving tribal TANF payments, or an*
39 *application for tribal TANF has been made, on behalf of the child.*

1 (E) *The child is not eligible for AFDC-FC while placed with*
2 *the approved relative caregiver because the child is not eligible*
3 *for federal financial participation in the AFDC-FC payment.*

4 (3) *Any income or benefits received by an eligible child, or by*
5 *the approved relative caregiver on behalf of an eligible child,*
6 *which would be offset against a payment made to a foster care*
7 *provider, shall be offset from the amount paid by the tribe under*
8 *the program. This paragraph shall not apply to any tribal TANF*
9 *payments received on behalf of an eligible child.*

10 (4) *An approved relative caregiver receiving payments on behalf*
11 *of a child pursuant to this section shall not be eligible to receive*
12 *CalWORKs payments on behalf of the same child under Section*
13 *11450.*

14 (5) *To the extent permitted by federal law, payments received*
15 *by the approved relative caregiver from the program shall not be*
16 *considered income for the purpose of determining other public*
17 *benefits.*

18 (c) (1) (A) *A tribe electing to participate in the program in the*
19 *2016–17 fiscal year shall notify the department on or before*
20 *October 1, 2016, that it intends to begin participation. Failure to*
21 *make timely notification, without good cause as determined by the*
22 *department, shall preclude the tribe from participating in the*
23 *program for the 2016–17 fiscal year.*

24 (B) *In any fiscal year after the 2016–17 fiscal year, a tribe*
25 *electing to participate in the program shall notify the department*
26 *on or before January 1 that it intends to begin participation on or*
27 *after the following July 1. Failure to make timely notification,*
28 *without good cause as determined by the department, shall*
29 *preclude the tribe from participating in the program for the*
30 *upcoming fiscal year.*

31 (2) *As a condition of opting into the program, the tribe shall do*
32 *all of the following:*

33 (A) *Provide to the department the tribal TANF maximum aid*
34 *payment (MAP) rate in effect at the time that the tribe elects to*
35 *participate in the program, consistent with the tribe's approved*
36 *tribal TANF plan.*

37 (B) *Provide data necessary, as determined by the department*
38 *in consultation with the tribe, to determine the base caseload for*
39 *the tribe as of July 1, 2016, consistent with subdivision (d).*

1 (C) Agree to recoup overpayments to an approved relative
2 caregiver utilizing the standards for determining whether an
3 overpayment is recoupable, and the processes for overpayment
4 recoupment, that are applicable to overpayments as described in
5 the tribe's Title IV-E agreement entered into pursuant to Section
6 10553.1.

7 (D) Agree that the tribe shall be solely responsible for any
8 additional costs incurred in making payments under this section
9 in the event that the funds allocated to a tribe from the
10 appropriation made by the Legislature for the tribe's participation
11 in the program are not sufficient to fully fund all payments specified
12 in paragraph (1) of subdivision (b).

13 (E) Agree to make child support referrals for program cases,
14 consistent with processes applied by the tribe to Title IV-E program
15 cases.

16 (3) The participating tribe shall provide the information
17 specified in subparagraphs (A) and (B) of paragraph (2) at least
18 60 days prior to the date the tribe will begin participating in the
19 program.

20 (d) (1) In consultation with the participating tribe, the
21 department shall determine the initial base caseload of the
22 participating tribe, using the most recent available data provided
23 by the tribe.

24 (2) The department shall determine the amount necessary to
25 fund the base caseload of the participating tribe. The allocation
26 methodology shall consider the tribal TANF rate of the
27 participating tribe in effect on July 1, 2016.

28 (e) (1) A tribe electing to opt out of the program shall provide
29 at least 120 days' prior written notice of that election to the
30 department and at least 90 days' prior written notice to all
31 approved relative caregivers to whom the tribe is making payments
32 under the program. The notice to caregivers shall specify the date
33 on which the per child per month payment will be reduced and the
34 date the tribe's participation in the program will cease.

35 (2) If the Legislature, for any given fiscal year, appropriates
36 an amount less than that specified in paragraph (2) of subdivision
37 (f), the department shall presume that all participating tribes have
38 opted out of the program for that fiscal year unless a tribe notifies
39 the department in writing of its intent to opt in within 60 days of
40 the enactment of the annual Budget Act. A tribe that does not elect

1 to continue participating in the program shall provide the notice
2 to caregivers specified in paragraph (1).

3 (3) A tribe that has opted out of the program for any reason
4 may resume participating in the program on July 1 of any year,
5 upon providing the department with written notice on or before
6 the preceding March 1 of its intent to resume participation.

7 (f) (1) (A) The following funding shall be used for the program:

8 (i) The tribe's applicable per-child tribal TANF grant at the
9 MAP rate in effect on July 1, 2016.

10 (ii) General Fund resources, as specified in paragraph (2).

11 (iii) Tribal funds only to the extent required under subparagraph
12 (D) of paragraph (2) of subdivision (c).

13 (B) Funding described in clauses (i) and (ii) of subparagraph
14 (A) is intended to fully fund the base caseload of approved relative
15 caregivers, which is defined as the number of approved relative
16 caregivers caring for a child who is not eligible to receive
17 AFDC-FC payments as of July 1, 2016.

18 (2) The following amounts are hereby appropriated from the
19 General Fund:

20 (A) For the 2016–17 fiscal year, the sum sufficient to fund the
21 initial base caseload, as determined in subdivision (d), for tribes
22 eligible for participation as of July 1, 2016.

23 (B) For the 2017–18 fiscal year, and every fiscal year thereafter,
24 the sum of the following:

25 (i) The total General Fund amount appropriated for the
26 purposes of this section for the previous fiscal year.

27 (ii) The additional amount necessary to fully fund the base
28 caseload described in subparagraph (B) of paragraph (1),
29 reflective of the annual California Necessities Index increase to
30 the basic rate paid to foster care providers pursuant to subdivision
31 (g) of Section 11461.

32 (3) Funds specified in paragraph (2) shall be allocated to
33 participating tribes proportionate to their number of approved
34 relative caregiver placements, using a methodology and timing
35 developed by the department, following consultation with
36 participating tribes.

37 (4) Notwithstanding subdivision (c), if in any fiscal year the
38 entire amount of funding appropriated by the Legislature for the
39 program has not been fully allocated to, or utilized by,
40 participating tribes, a participating tribe that has paid any funds

1 pursuant to subparagraph (D) of paragraph (2) of subdivision (c)
2 may request reimbursement for those funds from the department.
3 The authority of the department to approve the requests shall be
4 limited by the amount of available unallocated funds.

5 (g) If more than two eligible tribes elect to participate in the
6 program and, as a result, the appropriation made pursuant to
7 subdivision (f) is insufficient to fully fund the base caseload of
8 approved relative caregivers, as jointly determined by the
9 department and the participating tribes and approved by the
10 Department of Finance, the amount specified in subdivision (f)
11 shall be increased by the amount necessary to fully fund that base
12 caseload.

13 (h) For the purposes of this section, the following definitions
14 apply:

15 (1) "Basic foster care rate" means the monthly rate paid to
16 foster care providers pursuant to subdivision (g) of Section 11461.

17 (2) "Program" means the Tribal Approved Relative Caregiver
18 Funding Option Program established in this section.

19 (3) "Relative" means an adult who is related to the child by
20 blood, adoption, or affinity within the fifth degree of kinship,
21 including stepparents, stepsiblings, and all relatives whose status
22 is preceded by the words "great," "great-great," or "grand," or
23 the spouse of any of these persons even if the marriage was
24 terminated by death or dissolution, or as otherwise established
25 consistent with the tribe's Title IV-E agreement.

26 (4) "Tribe" means a federally-recognized Indian tribe,
27 consortium of tribes, or tribal organization with an agreement
28 pursuant to Section 10553.1.

29 SEC. 21. Section 11465 of the Welfare and Institutions Code
30 is amended to read:

31 11465. (a) When a child is living with a parent who receives
32 AFDC-FC or Kin-GAP benefits, the rate paid to the provider on
33 behalf of the parent shall include an amount for care and
34 supervision of the child.

35 (b) For each category of eligible licensed community care
36 facility, as defined in Section 1502 of the Health and Safety Code,
37 the department shall adopt regulations setting forth a uniform rate
38 to cover the cost of care and supervision of the child in each
39 category of eligible licensed community care facility.

1 (c) (1) On and after July 1, 1998, the uniform rate to cover the
2 cost of care and supervision of a child pursuant to this section shall
3 be increased by 6 percent, rounded to the nearest dollar. The
4 resultant amounts shall constitute the new uniform rate.

5 (2) (A) On and after July 1, 1999, the uniform rate to cover the
6 cost of care and supervision of a child pursuant to this section shall
7 be adjusted by an amount equal to the California Necessities Index
8 computed pursuant to Section 11453, rounded to the nearest dollar.
9 The resultant amounts shall constitute the new uniform rate, subject
10 to further adjustment pursuant to subparagraph (B).

11 (B) In addition to the adjustment specified in subparagraph (A),
12 on and after January 1, 2000, the uniform rate to cover the cost of
13 care and supervision of a child pursuant to this section shall be
14 increased by 2.36 percent, rounded to the nearest dollar. The
15 resultant amounts shall constitute the new uniform rate.

16 (3) Subject to the availability of funds, for the 2000–01 fiscal
17 year and annually thereafter, these rates shall be adjusted for cost
18 of living pursuant to procedures in Section 11453.

19 (4) On and after January 1, 2008, the uniform rate to cover the
20 cost of care and supervision of a child pursuant to this section shall
21 be increased by 5 percent, rounded to the nearest dollar. The
22 resulting amount shall constitute the new uniform rate.

23 (5) *Commencing July 1, 2016, the uniform rate to cover the cost*
24 *of care and supervision of a child pursuant to this section shall be*
25 *supplemented by an additional monthly amount of four hundred*
26 *eighty-nine dollars (\$489). This monthly supplement shall only be*
27 *provided if funding for this purpose is appropriated in the annual*
28 *Budget Act.*

29 (d) (1) Notwithstanding subdivisions (a) to (c), inclusive, the
30 payment made pursuant to this section for care and supervision of
31 a child who is living with a teen parent in a whole family foster
32 home, as defined in Section 11400, shall equal the basic rate for
33 children placed in a licensed or approved home as specified in
34 subdivisions (a) to (d), inclusive, and subdivision (g), of Section
35 11461.

36 (2) (A) The amount paid for care and supervision of a dependent
37 infant living with a dependent teen parent receiving AFDC-FC
38 benefits in a group home placement shall equal the infant
39 supplement rate for group home placements.

1 (B) Commencing January 1, 2017, the amount paid for care and
2 supervision of a dependent infant living with a dependent teenage
3 parent receiving AFDC-FC benefits in a short-term residential
4 treatment center shall equal the infant supplement rate for
5 short-term residential treatment centers established by the
6 department.

7 (3) (A) The caregiver shall provide the county child welfare
8 agency or probation department with a copy of the shared
9 responsibility plan developed pursuant to Section 16501.25 and
10 shall advise the county child welfare agency or probation
11 department of any subsequent changes to the plan. Once the plan
12 has been completed and provided to the appropriate agencies, the
13 payment made pursuant to this section shall be increased by an
14 additional two hundred dollars (\$200) per month to reflect the
15 increased care and supervision while he or she is placed in the
16 whole family foster home.

17 (B) A nonminor dependent parent residing in a supervised
18 independent living placement, as defined in subdivision (w) of
19 Section 11400, who develops a written parenting support plan
20 pursuant to Section 16501.26 shall provide the county child welfare
21 agency or probation department with a copy of the plan and shall
22 advise the county child welfare agency or probation department
23 of any subsequent changes to the plan. The payment made pursuant
24 to this section shall be increased by an additional two hundred
25 dollars (\$200) per month after all of the following have been
26 satisfied:

27 (i) The plan has been completed and provided to the appropriate
28 county agency.

29 (ii) The plan has been approved by the appropriate county
30 agency.

31 (iii) The county agency has determined that the identified
32 responsible adult meets the criteria specified in Section 16501.27.

33 (4) In a year in which the payment provided pursuant to this
34 section is adjusted for the cost of living as provided in paragraph
35 (1) of subdivision (c), the payments provided for in this subdivision
36 shall also be increased by the same procedures.

37 (5) A Kin-GAP relative who, immediately prior to entering the
38 Kin-GAP program, was designated as a whole family foster home
39 shall receive the same payment amounts for the care and

1 supervision of a child who is living with a teen parent they received
2 in foster care as a whole family foster home.

3 (6) On and after January 1, 2012, the rate paid for a child living
4 with a teen parent in a whole family foster home as defined in
5 Section 11400 shall also be paid for a child living with a nonminor
6 dependent parent who is eligible to receive AFDC-FC or Kin-GAP
7 pursuant to Section 11403.

8 *SEC. 22. Section 12201.06 is added to the Welfare and*
9 *Institutions Code, immediately following Section 12201.05, to*
10 *read:*

11 *12201.06. Commencing January 1, 2017, the amount of aid*
12 *paid pursuant to this article, in effect on December 31, 2016, less*
13 *the federal benefit portion received under Part A of Title XVI of*
14 *the federal Social Security Act, shall be increased by 2.76 percent.*

15 *SEC. 23. Section 12301.02 of the Welfare and Institutions Code*
16 *is amended to read:*

17 12301.02. (a) (1) Notwithstanding any other law, except as
18 provided in ~~subdivision (e)~~, subdivisions (c) and (e), the department
19 shall implement a ~~7-percent~~ 7-percent reduction in hours of service
20 to each recipient of services under this article, which shall be
21 applied to the recipient's hours as authorized pursuant to the most
22 recent assessment. This reduction shall become effective 12 months
23 after the implementation of the reduction set forth in Section
24 12301.01. The reduction required by this section shall not preclude
25 any reassessment to which a recipient would otherwise be entitled.
26 However, hours authorized pursuant to a reassessment shall be
27 subject to the ~~7-percent~~ 7-percent reduction required by this section.

28 (2) A request for reassessment based only on the reduction
29 required in paragraph (1) may be administratively denied by the
30 county.

31 (3) A recipient of services under this article may direct the
32 manner in which the reduction of hours is applied to the recipient's
33 previously authorized services.

34 (4) For those individuals who have a documented unmet need,
35 excluding protective supervision because of the limitations on
36 authorized hours under Section 12303.4, the reduction shall be
37 taken first from the documented unmet need.

38 (b) The notice of action informing the recipient of the reduction
39 pursuant to subdivision (a) shall be mailed at least 20 days prior
40 to the reduction going into effect. The notice of action shall be

1 understandable to the recipient and translated into all languages
2 spoken by a substantial number of the public served by the
3 In-Home Supportive Services program, in accordance with Section
4 7295.2 of the Government Code. The notice shall not contain any
5 recipient financial or confidential identifying information other
6 than the recipient's name, address, and Case Management
7 Information and Payroll System (CMIPS) client identification
8 number, and shall include, but not be limited to, all of the following
9 information:

10 (1) The aggregate number of authorized hours before the
11 reduction pursuant to subdivision (a) and the aggregate number of
12 authorized hours after the reduction.

13 (2) That the recipient may direct the manner in which the
14 reduction of authorized hours is applied to the recipient's
15 previously authorized services.

16 (3) A county shall assess a recipient's need for supportive
17 services any time that the recipient notifies the county of a need
18 to adjust the supportive services hours authorized, or when there
19 are other indications or expectations of a change in circumstances
20 affecting the recipient's need for supportive services. Counties
21 shall not require recipients to submit a medical certification form
22 or a doctor's note to show evidence of a change in the recipient's
23 circumstances.

24 (c) A recipient shall have all appeal rights otherwise provided
25 for under Chapter 7 (commencing with Section 10950) of Part 2.

26 (d) The reduction specified in paragraph (1) of subdivision (a)
27 shall be ongoing and may be adjusted pursuant to Section 12301.03.

28 *(e) (1) The reduction specified in paragraph (1) of subdivision*
29 *(a) shall be suspended until July 1, 2019, if the managed care*
30 *organization provider tax imposed pursuant to Article 6.7*
31 *(commencing with Section 14199.50) of Chapter 7 remains*
32 *operative.*

33 *(2) Notwithstanding paragraph (1), if the managed care*
34 *organization provider tax imposed pursuant to Article 6.7*
35 *(commencing with Section 14199.50) of Chapter 7 ceases to be*
36 *operative for any reason, the reduction specified in paragraph (1)*
37 *of subdivision (a) shall be reinstated effective no later than the*
38 *first day of the first full month occurring 90 days after the date on*
39 *which the managed care organization provider tax ceases to be*
40 *operative.*

(3) Notwithstanding the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement this subdivision through an all-county letter or similar instructions from the director until January 1, 2020.

SEC. 24. Section 15200 of the Welfare and Institutions Code is amended to read:

15200. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, ~~and after deducting federal funds available,~~ appropriated the following sums:

(a) To each county for the support and maintenance of needy children, ~~95 percent of the sums specified in subdivision (a), and paragraphs (1) and (2) of subdivision (e), of Section 11450;~~ the sums specified in subdivisions (a), (e), and (f) of Section 11450, after subtracting all the following amounts:

(1) (A) Except as described in subparagraph (B), a 2.5-percent county share of cost.

(B) If Section 1613 of Title 8 of the United States Code applies, a 5-percent county share of cost.

(C) The county share described in this paragraph shall not apply to increases in maximum aid payments made in accordance with Section 11450.025.

(2) Federal funds utilized for this purpose.

(3) The amount allocated to each county from the Family Support Subaccount pursuant to Section 17601.75.

(4) The amount allocated to each county from the Child Poverty and Family Supplemental Support Subaccount pursuant to Section 17601.50.

(5) The amount allocated to each county from the CalWORKs Maintenance of Effort Subaccount pursuant to Section 17601.25.

(b) To each county for the support and maintenance of pregnant mothers, ~~95 percent of the sum~~ the sums specified in subdivisions (b) and (c) of Section ~~11450~~ 11450 after subtracting all of the following amounts:

(1) (A) Except as described in subparagraph (B), a 2.5-percent county share of cost.

(B) If Section 1613 of Title 8 of the United States Code applies, a 5-percent county share of cost.

1 (C) *The county share described in this paragraph shall not*
2 *apply to increases in maximum aid payments made in accordance*
3 *with Section 11450.025.*

4 (2) *Federal funds utilized for this purpose.*

5 (3) *The amount allocated to each county from the Family*
6 *Support Subaccount pursuant to Section 17601.75.*

7 (4) *The amount allocated to each county from the Child Poverty*
8 *and Family Supplemental Support Subaccount pursuant to Section*
9 *17601.50.*

10 (5) *The amount allocated to each county from the CalWORKs*
11 *Maintenance of Effort Subaccount pursuant to Section 17601.25.*

12 (c) ~~For~~ *After deducting federal funds available for the adequate*
13 *care of each child pursuant to subdivision (d) of Section 11450,*
14 *as follows:*

15 (1) *Prior to the 2011–12 fiscal year, an amount equal to 40*
16 *percent of the sum necessary for the adequate care of each child.*

17 (2) *Notwithstanding paragraph (1), beginning in the 2011–12*
18 *fiscal year, and for each fiscal year thereafter, funding and*
19 *expenditures for programs and activities under this subdivision*
20 *shall be in accordance with the requirements provided in Sections*
21 *30025 and 30026.5 of the Government Code.*

22 (d) (1) *Prior to the 2011–12 fiscal year for each county for the*
23 *support and care of hard-to-place adoptive children, and after*
24 *deducting federal funds available, 75 percent of the nonfederal*
25 *share of the amount specified in Section 16121.*

26 (2) *Notwithstanding paragraph (1), beginning in the 2011–12*
27 *fiscal year, and for each fiscal year thereafter, funding and*
28 *expenditures for programs and activities under this subdivision*
29 *shall be in accordance with the requirements provided in Sections*
30 *30025 and 30026.5 of the Government Code.*

31 *SEC. 25. Section 15200.15 of the Welfare and Institutions Code*
32 *is repealed.*

33 ~~15200.15. For purposes of Section 15200, any reference to~~
34 ~~paragraphs (1) and (2) of subdivision (c) of Section 11450 shall~~
35 ~~mean subdivisions (e) and (f) of Section 11450.~~

36 *SEC. 26. Section 16501.9 is added to the Welfare and*
37 *Institutions Code, to read:*

38 *16501.9. (a) (1) The Legislature hereby finds and declares*
39 *the Child Welfare Services-New System (CWS-NS) is the most*
40 *important system in the state for child welfare services staff to*

1 *ensure the safety and well-being of California's children. The State*
2 *of California has embarked upon on an agile procurement of the*
3 *CWS-NS.*

4 *(2) The Legislature further finds and declares that this approach*
5 *requires significant engagement with the end user throughout the*
6 *life of the system, including the county human services agencies*
7 *and child welfare services and probation staff.*

8 *(b) (1) The State Department of Social Services and the Office*
9 *of Systems Integration (OSI), in collaboration with the County*
10 *Welfare Directors Association (CWDA), shall seek resources to*
11 *enable the necessary level of engagement by the counties in the*
12 *CWS-NS agile development and maintenance process to prevent*
13 *the disruption of services to families and children at risk. This*
14 *shall include, but not be limited to, timely and expeditious execution*
15 *of contracts and contract amendments for participation in this*
16 *effort, effective monitoring and evaluation of the CWS-NS effort,*
17 *and implementation of mitigation strategies for risks and issues*
18 *arising in the procurement, development, implementation, or*
19 *operation of digital services pursuant to this section.*

20 *(2) The department and OSI shall provide a voting seat on all*
21 *governance bodies of the CWS-NS for a CWDA representative and*
22 *shall support and provide necessary accommodation for the*
23 *stationing of county representatives at the project site.*

24 *(3) The department and OSI shall continue to provide monthly*
25 *updates to the Legislature and to stakeholders, including CWDA,*
26 *regarding efforts to develop and implement the CWS-NS. The*
27 *updates shall include, but not be limited to, (A) the vacancy rate,*
28 *the duration of each vacant position and its classification, and the*
29 *status of efforts to fill the position, (B) challenges with recruiting*
30 *and retaining qualified staff and a description of efforts to resolve*
31 *the issues, (C) challenges with procurement, including any delays,*
32 *and a description of efforts to resolve the issues, (D) any issues*
33 *or risks, including, but not limited to, pending state and federal*
34 *approvals and impacts on county child welfare programs that may*
35 *jeopardize the project's completion or result in delays relative to*
36 *the approved project schedule, budget, and scope, and (E) progress*
37 *on the project, by digital service (module) along with a description*
38 *of each digital service, and projected completion dates for any*
39 *significant upcoming project milestones. Following the effective*

1 date of this section, a list of newly executed contracts, their
2 purpose, and amounts shall be added to the monthly update.

3 (4) The department and OSI, in coordination with CWDA and
4 the Department of Technology, shall convene a regularly scheduled
5 quarterly forum to provide project updates to stakeholders and
6 legislative staff. These forums shall include updates on (A) the
7 progress of the CWS-NS development and implementation, (B)
8 expenditures incurred to date, (C) significant issues and risks
9 overcome in the last quarter and significant issues and risks
10 presently being addressed, (D) upcoming project milestones and
11 significant events, (E) how the agile approach has affected the
12 project's overall cost and schedule, (F) how the Department of
13 Technology's approval and oversight processes are being applied
14 to the agile implementation approach, and (G) how lessons learned
15 from the agile implementation of the CWS-NS project can be
16 leveraged by other state IT projects.

17 (c) The existing Child Welfare Services Case Management
18 System (CWS/CMS) operations and functionality shall be
19 maintained at a level at least commensurate with its December
20 2015 status and shall not be decommissioned prior to the full
21 statewide implementation of the CWS-NS in all counties. Full
22 statewide implementation is defined as after all existing CWS/CMS
23 functionality has been replaced in CWS-NS and has been
24 implemented in all 58 counties for a minimum of six months with
25 no significant (noncosmetic) defects outstanding.

26 SEC. 27. Section 16519.5 of the Welfare and Institutions Code
27 is amended to read:

28 16519.5. (a) The State Department of Social Services, in
29 consultation with county child welfare agencies, foster parent
30 associations, and other interested community parties, shall
31 implement a unified, family friendly, and child-centered resource
32 family approval process to replace the existing multiple processes
33 for licensing foster family homes, approving relatives and
34 nonrelative extended family members as foster care providers, and
35 approving adoptive families.

36 (b) (1) Counties shall be selected to participate on a voluntary
37 basis as early implementation counties for the purpose of
38 participating in the initial development of the approval process.
39 Early implementation counties shall be selected according to
40 criteria developed by the department in consultation with the

1 County Welfare Directors Association. In selecting the five early
2 implementation counties, the department shall promote diversity
3 among the participating counties in terms of size and geographic
4 location.

5 (2) Additional counties may participate in the early
6 implementation of the program upon authorization by the
7 department.

8 (c) (1) For the purposes of this chapter, “resource family” means
9 an individual or couple that a participating county or foster family
10 agency, as defined in subdivision (g) of Section 11400 of this code,
11 and paragraph (4) of subdivision (a) of Section 1502 of the Health
12 and Safety Code, determines to have successfully met both the
13 home environment assessment standards and the permanency
14 assessment criteria adopted pursuant to subdivision (d) necessary
15 for providing care for a related or unrelated child who is under the
16 jurisdiction of the juvenile court, or otherwise in the care of a
17 county child welfare agency or probation department. A resource
18 family shall demonstrate all of the following:

19 (A) An understanding of the safety, permanence, and well-being
20 needs of children who have been victims of child abuse and neglect,
21 and the capacity and willingness to meet those needs, including
22 the need for protection, and the willingness to make use of support
23 resources offered by the agency, or a support structure in place,
24 or both.

25 (B) An understanding of children’s needs and development,
26 effective parenting skills or knowledge about parenting, and the
27 capacity to act as a reasonable, prudent parent in day-to-day
28 decisionmaking.

29 (C) An understanding of his or her role as a resource family and
30 the capacity to work cooperatively with the agency and other
31 service providers in implementing the child’s case plan.

32 (D) The financial ability within the household to ensure the
33 stability and financial security of the family.

34 (E) An ability and willingness to provide a family setting that
35 promotes normal childhood experiences that serves the needs of
36 the child.

37 (2) Subsequent to meeting the criteria set forth in this
38 subdivision and designation as a resource family, a resource family
39 shall be considered eligible to provide foster care for related and
40 unrelated children in out-of-home placement, shall be considered

1 approved for adoption or guardianship, and shall not have to
2 undergo any additional approval or licensure as long as the family
3 lives in a county participating in the program.

4 (3) Resource family approval means that the applicant
5 successfully meets the home environment assessment and
6 permanency assessment standards. This approval is in lieu of the
7 existing foster care license, relative or nonrelative extended family
8 member approval, and the adoption home study approval.

9 (4) Approval of a resource family does not guarantee an initial
10 or continued placement of a child with a resource family.

11 (5) Notwithstanding paragraphs (1) to (4), inclusive, the
12 department or county may cease any further review of an
13 application if the applicant has had a previous application denial
14 within the preceding year, or if the applicant has had a previous
15 rescission, revocation, or exemption denial or rescission by the
16 department or county within the preceding two years. However,
17 the department or county may continue to review an application
18 if it has determined that the reasons for the previous denial,
19 rescission, or revocation were due to circumstances and conditions
20 that either have been corrected or are no longer in existence. If an
21 individual was excluded from a resource family home or facility
22 licensed by the department, the department or county shall cease
23 review of the individual's application unless the excluded
24 individual has been reinstated pursuant to Section 11522 of the
25 Government Code. The cessation of review shall not constitute a
26 denial of the application for purposes of this section or any other
27 law.

28 (d) Prior to implementation of this program, the department
29 shall adopt standards pertaining to the home environment and
30 permanency assessments of a resource family.

31 (1) Resource family home environment assessment standards
32 shall include, but not be limited to, all of the following:

33 (A) (i) Criminal records clearance of all adults residing in, or
34 regularly present in, the home, and not exempted from
35 fingerprinting, as set forth in subdivision (b) of Section 1522 of
36 the Health and Safety Code, pursuant to Section 8712 of the Family
37 Code, utilizing a check of the Child Abuse Central Index (CACI),
38 and receipt of a fingerprint-based state and federal criminal
39 offender record information search response. The criminal history

1 information shall include subsequent notifications pursuant to
2 Section 11105.2 of the Penal Code.

3 (ii) Consideration of any substantiated allegations of child abuse
4 or neglect against either the applicant or any other adult residing
5 in the home. An approval may not be granted to applicants whose
6 criminal record indicates a conviction for any of the offenses
7 specified in subdivision (g) of Section 1522 of the Health and
8 Safety Code.

9 (iii) If the resource family parent, applicant, or any other person
10 specified in subdivision (b) of Section 1522 of the Health and
11 Safety Code has been convicted of a crime other than a minor
12 traffic violation, except for the civil penalty language, the criminal
13 background check provisions specified in subdivisions (d) through
14 (f) of Section 1522 of the Health and Safety Code shall apply.
15 Exemptions from the criminal records clearance requirements set
16 forth in this section may be granted by the director or the early
17 implementation county, if that county has been granted permission
18 by the director to issue criminal records exemptions pursuant to
19 Section 361.4, using the exemption criteria currently used for foster
20 care licensing as specified in subdivision (g) of Section 1522 of
21 the Health and Safety Code.

22 (iv) For public foster family agencies approving resource
23 families, the criminal records clearance process set forth in clause
24 (i) shall be utilized.

25 (v) For private foster family agencies approving resource
26 families, the criminal records clearance process set forth in clause
27 (i) shall be utilized, but the Department of Justice shall disseminate
28 a fitness determination resulting from the federal criminal offender
29 record information search.

30 (B) Buildings and grounds and storage requirements set forth
31 in Sections 89387 and 89387.2 of Title 22 of the California Code
32 of Regulations.

33 (C) In addition to the foregoing requirements, the resource
34 family home environment assessment standards shall also require
35 the following:

36 (i) That the applicant—~~demonstrate~~ *demonstrates* an
37 understanding about the rights of children in care and his or her
38 responsibility to safeguard those rights.

39 (ii) That the total number of children residing in the home of a
40 resource family shall be no more than the total number of children

1 the resource family can properly care for, regardless of status, and
2 shall not exceed six children, unless exceptional circumstances
3 that are documented in the foster child's case file exist to permit
4 a resource family to care for more children, including, but not
5 limited to, the need to place siblings together.

6 (iii) That the applicant understands his or her responsibilities
7 with respect to acting as a reasonable and prudent parent, and
8 maintaining the least restrictive environment that serves the needs
9 of the child.

10 (2) The resource family permanency assessment standards shall
11 include, but not be limited to, all of the following:

12 (A) The applicant shall complete caregiver training.

13 (B) (i) The applicant shall complete a psychosocial assessment,
14 which shall include the results of a risk assessment.

15 (ii) A caregiver risk assessment shall include, but shall not be
16 limited to, physical and mental health, alcohol and other substance
17 use and abuse, family and domestic violence, and the factors listed
18 in subparagraphs (A) and (D) of paragraph (1) of subdivision (c).

19 (C) The applicant shall complete any other activities that relate
20 to a resource family's ability to achieve permanency with the child.

21 (e) (1) A child may be placed with a resource family that has
22 successfully completed the home environment assessment prior
23 to completion of a permanency assessment only if a compelling
24 reason for the placement exists based on the needs of the child.

25 (2) The permanency assessment shall be completed within 90
26 days of the child's placement in the home, unless good cause exists
27 based upon the needs of the child.

28 (3) If additional time is needed to complete the permanency
29 assessment, the county shall document the extenuating
30 circumstances for the delay and generate a timeframe for the
31 completion of the permanency assessment.

32 (4) The county shall report to the department on a quarterly
33 basis the number of families with a child in an approved home
34 whose permanency assessment goes beyond 90 days and
35 summarize the reasons for these delays.

36 (5) A child may be placed with a relative, as defined in Section
37 319, or nonrelative extended family member, as defined in Section
38 362.7, prior to applying as a resource family only on an emergency
39 basis if all of the following requirements are met:

1 (A) Consideration of the results of a criminal records check
2 conducted pursuant to Section 16504.5 of the relative or nonrelative
3 extended family member and of every other adult in the home.

4 (B) Consideration of the results of the Child Abuse Central
5 Index (CACI) consistent with Section 1522.1 of the Health and
6 Safety Code of the relative or nonrelative extended family member,
7 and of every other adult in the home.

8 (C) The home and grounds are free of conditions that pose undue
9 risk to the health and safety of the child.

10 (D) For any placement made pursuant to this paragraph, the
11 county shall initiate the home environment assessment no later
12 than five business days after the placement, which shall include a
13 face-to-face interview with the resource family applicant and child.

14 (E) For any placement made pursuant to this paragraph,
15 AFDC-FC funding shall not be available until approval of the
16 resource family has been completed.

17 (F) Any child placed under this section shall be afforded all the
18 rights set forth in Section 16001.9.

19 (f) The State Department of Social Services shall be responsible
20 for all of the following:

21 (1) Selecting early implementation counties, based on criteria
22 established by the department in consultation with the County
23 Welfare Directors Association.

24 (2) Establishing timeframes for participating counties to submit
25 an implementation plan, enter into terms and conditions for
26 participation in the program, train appropriate staff, and accept
27 applications from resource families.

28 (3) Entering into terms and conditions for participation in the
29 program by counties.

30 (4) Administering the program through the issuance of written
31 directives that shall have the same force and effect as regulations.
32 Any directive affecting Article 1 (commencing with Section 700)
33 of Chapter 7 of Title 11 of the California Code of Regulations shall
34 be approved by the Department of Justice. The directives shall be
35 exempt from the rulemaking provisions of the Administrative
36 Procedure Act (Chapter 3.5 (commencing with Section 11340))
37 of Part 1 of Division 3 of Title 2 of the Government Code.

38 (5) Approving and requiring the use of a single standard for
39 resource family approval.

1 (6) Adopting and requiring the use of standardized
2 documentation for the home environment and permanency
3 assessments of resource families.

4 (7) Requiring counties to monitor resource families including,
5 but not limited to, all of the following:

6 (A) Investigating complaints of resource families.

7 (B) Developing and monitoring resource family corrective action
8 plans to correct identified deficiencies and to rescind resource
9 family approval if compliance with corrective action plans is not
10 achieved.

11 (8) Ongoing oversight and monitoring of county systems and
12 operations including all of the following:

13 (A) Reviewing the county's implementation of the program.

14 (B) Reviewing an adequate number of approved resource
15 families in each participating county to ensure that approval
16 standards are being properly applied. The review shall include
17 case file documentation, and may include onsite inspection of
18 individual resource families. The review shall occur on an annual
19 basis, and more frequently if the department becomes aware that
20 a participating county is experiencing a disproportionate number
21 of complaints against individual resource family homes.

22 (C) Reviewing county reports of serious complaints and
23 incidents involving approved resource families, as determined
24 necessary by the department. The department may conduct an
25 independent review of the complaint or incident and change the
26 findings depending on the results of its investigation.

27 (D) Investigating unresolved complaints against participating
28 counties.

29 (E) Requiring corrective action of counties that are not in full
30 compliance with the terms and conditions of the program.

31 (9) Updating the Legislature on the early implementation phase
32 of the program, including the status of implementation, successes,
33 and challenges during the early implementation phase, and relevant
34 available data, including resource family satisfaction.

35 (10) Implementing due process procedures, including all of the
36 following:

37 (A) Providing a statewide fair hearing process for denials,
38 rescissions, or exclusion actions.

39 (B) Amending the department's applicable state hearing
40 procedures and regulations or using the Administrative Procedure

1 Act, when applicable, as necessary for the administration of the
2 program.

3 (g) Counties participating in the program shall be responsible
4 for all of the following:

5 (1) Submitting an implementation plan, entering into terms and
6 conditions for participation in the program, consulting with the
7 county probation department in the development of the
8 implementation plan, training appropriate staff, and accepting
9 applications from resource families within the timeframes
10 established by the department.

11 (2) Complying with the written directives pursuant to paragraph
12 (4) of subdivision (f).

13 (3) Implementing the requirements for resource family approval
14 and utilizing standardized documentation established by the
15 department.

16 (4) Ensuring staff have the education and experience necessary
17 to complete the home environment and psychosocial assessments
18 competently.

19 (5) (A) Taking the following actions, as applicable:

20 (i) Approving or denying resource family applications.

21 (ii) Rescinding approvals of resource families.

22 (iii) Excluding a resource family parent or other individual from
23 presence in a resource family home, consistent with the established
24 standard.

25 (iv) Issuing a temporary suspension order that suspends the
26 resource family approval prior to a hearing when urgent action is
27 needed to protect a child or nonminor dependent from physical or
28 mental abuse, abandonment, or any other substantial threat to
29 health or safety, consistent with the established standard.

30 (B) Providing a resource family parent, applicant, or excluded
31 individual requesting review of that decision with due process
32 pursuant to the department's statutes, regulations, and written
33 directives.

34 (C) Notifying the department of any decisions denying a
35 resource family's application or rescinding the approval of a
36 resource family, excluding an individual, or taking other
37 administrative action.

38 (D) Issuing a temporary suspension order that suspends the
39 resource family approval prior to a hearing, when urgent action is
40 needed to protect a child or nonminor dependent who is or may

1 be placed in the home from physical or mental abuse, abandonment,
2 or any other substantial threat to health or safety.

3 (6) Updating resource family approval annually.

4 (7) Monitoring resource families through all of the following:

5 (A) Ensuring that social workers who identify a condition in
6 the home that may not meet the approval standards set forth in
7 subdivision (d) while in the course of a routine visit to children
8 placed with a resource family take appropriate action as needed.

9 (B) Requiring resource families to comply with corrective action
10 plans as necessary to correct identified deficiencies. If corrective
11 action is not completed as specified in the plan, the county may
12 rescind the resource family approval.

13 (C) Requiring resource families to report to the county child
14 welfare agency any incidents consistent with the reporting
15 requirements for licensed foster family homes.

16 (8) Investigating all complaints against a resource family and
17 taking action as necessary. This shall include investigating any
18 incidents reported about a resource family indicating that the
19 approval standard is not being maintained.

20 (A) The child's social worker shall not conduct the formal
21 investigation into the complaint received concerning a family
22 providing services under the standards required by subdivision
23 (d). To the extent that adequate resources are available, complaints
24 shall be investigated by a worker who did not initially conduct the
25 home environment or psychosocial assessments.

26 (B) Upon conclusion of the complaint investigation, the final
27 disposition shall be reviewed and approved by a supervising staff
28 member.

29 (C) The department shall be notified of any serious incidents
30 or serious complaints or any incident that falls within the definition
31 of Section 11165.5 of the Penal Code. If those incidents or
32 complaints result in an investigation, the department shall also be
33 notified as to the status and disposition of that investigation.

34 (9) Performing corrective action as required by the department.

35 (10) Assessing county performance in related areas of the
36 California Child and Family Services Review System, and
37 remediating problems identified.

38 (11) Submitting information and data that the department
39 determines is necessary to study, monitor, and prepare the report
40 specified in paragraph (9) of subdivision (f).

1 (12) Ensuring resource family applicants and resource families
2 have the necessary knowledge, skills, and abilities to support
3 children in foster care by completing caregiver training. The
4 training should include a curriculum that supports the role of a
5 resource family in parenting vulnerable children and should be
6 ongoing in order to provide resource families with information on
7 trauma-informed practices and requirements and other topics within
8 the foster care system.

9 (13) Ensuring that a resource family applicant completes a
10 minimum of 12 hours of preapproval training. The training shall
11 include, but not be limited to, all of the following courses:

12 (A) An overview of the child protective and probation systems.

13 (B) The effects of trauma, including grief and loss, and child
14 abuse and neglect, on child development and behavior, and
15 methods to behaviorally support children impacted by that trauma
16 or child abuse and neglect.

17 (C) Positive discipline and the importance of self-esteem.

18 (D) Health issues in foster care.

19 (E) Accessing services and supports to address education needs,
20 physical, mental, and behavioral health, and substance use
21 disorders, including culturally relevant services.

22 (F) The rights of a child in foster care, and the resource family's
23 responsibility to safeguard those rights, including the right to have
24 fair and equal access to all available services, placement, care,
25 treatment, and benefits, and to not be subjected to discrimination
26 or harassment on the basis of actual or perceived race, ethnic group
27 identification, ancestry, national origin, color, religion, sex, sexual
28 orientation, gender identity, mental or physical disability, or HIV
29 status.

30 (G) Cultural needs of children, including instruction on cultural
31 competency and sensitivity, and related best practices for providing
32 adequate care for children or youth across diverse ethnic and racial
33 backgrounds, as well as children or youth identifying as lesbian,
34 gay, bisexual, or transgender.

35 (H) Basic instruction on existing laws and procedures regarding
36 the safety of foster youth at school; and ensuring a harassment and
37 violence free school environment pursuant to Article 3.6
38 (commencing with Section 32228) of Chapter 2 of Part 19 of
39 Division 1 of Title 1 of the Education Code.

40 (I) Permanence, well-being, and education needs of children.

1 (J) Child and adolescent development, including sexual
2 orientation, gender identity, and expression.

3 (K) The role of resource families, including working
4 cooperatively with the child welfare or probation agency, the
5 child's family, and other service providers implementing the case
6 plan.

7 (L) The role of a resource family on the child and family team
8 as defined in paragraph (4) of subdivision (a) of Section 16501.

9 (M) A resource family's responsibility to act as a reasonable
10 and prudent parent, and to provide a family setting that promotes
11 normal childhood experiences and that serves the needs of the
12 child.

13 (N) An overview of the specialized training identified in
14 subdivision (h).

15 (14) Ensuring approved resource families complete a minimum
16 of eight training hours annually, a portion of which shall be from
17 one or more of the topics listed in paragraph (13).

18 (h) In addition to any training required by this section, a resource
19 family may be required to receive specialized training, as relevant,
20 for the purpose of preparing the resource family to meet the needs
21 of a particular child in care. This training may include, but is not
22 limited to, the following:

23 (1) Understanding how to use best practices for providing care
24 and supervision to commercially sexually exploited children.

25 (2) Understanding how to use best practices for providing care
26 and supervision to lesbian, gay, bisexual, and transgender children.

27 (3) Understanding the requirements and best practices regarding
28 psychotropic medications, including, but not limited to, court
29 authorization, benefits, uses, side effects, interactions, assistance
30 with self-administration, misuse, documentation, storage, and
31 metabolic monitoring of children prescribed psychotropic
32 medications.

33 (4) Understanding the federal Indian Child Welfare Act (25
34 U.S.C. Sec. 1901 et seq.), its historical significance, the rights of
35 children covered by the act, and the best interests of Indian
36 children, including the role of the caregiver in supporting culturally
37 appropriate, child-centered practices that respect Native American
38 history, culture, retention of tribal membership and connection to
39 the tribal community and traditions.

1 (5) Understanding how to use best practices for providing care
2 and supervision to nonminor dependents.

3 (6) Understanding how to use best practices for providing care
4 and supervision to children with special health care needs.

5 (7) Understanding the different permanency options and the
6 services and benefits associated with the options.

7 (i) Nothing in this section shall preclude a county or a foster
8 family agency from requiring resource family training in excess
9 of the requirements in this section.

10 (j) (1) Approved relatives and nonrelative extended family
11 members, licensed foster family homes, or approved adoptive
12 homes that have completed the license or approval process prior
13 to full implementation of the program shall not be considered part
14 of the program. The otherwise applicable assessment and oversight
15 processes shall continue to be administered for families and
16 facilities not included in the program.

17 (2) Upon implementation of the program in a county, that county
18 may not accept new applications for the licensure of foster family
19 homes, the approval of relative and nonrelative extended family
20 members, or the approval of prospective adoptive homes.

21 (k) The department may waive regulations that pose a barrier
22 to implementation and operation of this program. The waiver of
23 any regulations by the department pursuant to this section shall
24 apply to only those counties or foster family agencies participating
25 in the program and only for the duration of the program.

26 (l) Resource families approved under initial implementation of
27 the program, who move within an early implementation county or
28 who move to another early implementation county, shall retain
29 their resource family status if the new building and grounds,
30 outdoor activity areas, and storage areas meet home environment
31 standards. The State Department of Social Services or early
32 implementation county may allow a program-affiliated individual
33 to transfer his or her subsequent arrest notification if the individual
34 moves from one early implementation county to another early
35 implementation county, as specified in subdivision (g) of Section
36 1522 of the Health and Safety Code.

37 (m) (1) The approval of a resource family who moves to a
38 nonparticipating county remains in full force and effect pending
39 a determination by the county approval agency or the department,
40 as appropriate, whether the new building and grounds and storage

1 areas meet applicable standards, and whether all adults residing
2 in the home have a criminal records clearance or exemptions
3 granted, using the exemption criteria used for foster care licensing,
4 as specified in subdivision (g) of Section 1522 of the Health and
5 Safety Code. Upon this determination, the nonparticipating county
6 shall either approve the family as a relative or nonrelative extended
7 family member, as applicable, or the department shall license the
8 family as a foster family home.

9 (2) Subject to the requirements in paragraph (1), the family shall
10 continue to be approved for guardianship and adoption. Nothing
11 in this subdivision shall limit a county or adoption agency from
12 determining that the family is not approved for guardianship or
13 adoption based on changes in the family's circumstances or
14 psychosocial assessment.

15 (3) A program-affiliated individual who moves to a
16 nonparticipating county may not transfer his or her subsequent
17 arrest notification from a participating county to the
18 nonparticipating county.

19 (n) Implementation of the program shall be contingent upon the
20 continued availability of federal Social Security Act Title IV-E
21 (42 U.S.C. Sec. 670) funds for costs associated with placement of
22 children with resource families assessed and approved under the
23 program.

24 (o) *A child placed with a resource family is eligible for the*
25 *resource family basic rate, pursuant to Sections 11253.45, 11460,*
26 *11461, and 11463, and subdivision (l) of Section 11461.3, at the*
27 *child's assessed level of care.*

28 ~~(o) A child placed with a resource family shall be eligible for~~
29 ~~AFDC-FC payments. A resource family, or a foster family agency~~
30 ~~pursuant to subdivisions (s) and (t), shall be paid an AFDC-FC~~
31 ~~rate pursuant to Sections 11460, 11461, and 11463. Sharing~~

32 (p) *Sharing* ratios for nonfederal expenditures for all costs
33 associated with activities related to the approval of relatives and
34 nonrelative extended family members shall be in accordance with
35 Section 10101.

36 ~~(p)~~

37 (q) The Department of Justice shall charge fees sufficient to
38 cover the cost of initial or subsequent criminal offender record
39 information and Child Abuse Central Index searches, processing,
40 or responses, as specified in this section.

~~(q)~~

(r) Except as provided, approved resource families under this program shall be exempt from all of the following:

(1) Licensure requirements set forth under the Community Care Facilities Act, commencing with Section 1500 of the Health and Safety Code, and all regulations promulgated thereto.

(2) Relative and nonrelative extended family member approval requirements set forth under Sections 309, 361.4, and 362.7, and all regulations promulgated thereto.

(3) Adoptions approval and reporting requirements set forth under Section 8712 of the Family Code, and all regulations promulgated thereto.

~~(r)~~

(s) (1) Early implementation counties shall be authorized to continue through December 31, 2016. The program shall be implemented by each county on or before January 1, 2017.

(2) No later than July 1, 2017, each county shall provide the following information to all licensed foster family homes and all approved relatives and nonrelative extended family members:

(A) A detailed description of the resource family approval program.

(B) Notification that, in order to care for a foster child, resource family approval is required by December 31, 2019.

(C) Notification that a foster family home license and an approval of a relative or nonrelative extended family member shall be forfeited by operation of law as provided for in paragraph (4).

(3) By no later than January 1, 2018, the following shall apply to all licensed foster family homes and approved relative and nonrelative extended family members:

(A) A licensed foster family home, and an approved relative or nonrelative extended family member with an approved adoptive home study completed prior to January 1, 2018, shall be deemed to be an approved resource family.

(B) A licensed foster family home, and an approved relative or nonrelative extended family member who had a child in placement at any time, for any length of time, between January 1, 2017, and December 31, 2017, inclusive, may be approved as a resource family on the date of successful completion of a psychosocial assessment pursuant to subparagraph (B) of paragraph (2) of subdivision (d).

1 (C) A county may provide supportive services to all licensed
2 foster family home providers, relatives, and nonrelative extended
3 family members with a child in placement to assist with the
4 resource family transition and to minimize placement disruptions.

5 (4) All foster family licenses and approvals of a relative or
6 nonrelative extended family member shall be forfeited by operation
7 of law on December 31, 2019, except as provided in this paragraph:

8 (A) All licensed foster family homes that did not have a child
9 in placement at any time, for any length of time, between January
10 1, 2017, and December 31, 2017, inclusive, shall forfeit the license
11 by operation of law on January 1, 2018.

12 (B) For foster family home licensees and approved relatives or
13 nonrelative extended family members who have a pending resource
14 family application on December 31, 2019, the foster family home
15 license or relative and nonrelative extended family member
16 approval shall be forfeited by operation of law on the date of
17 approval as a resource family. If approval is denied, forfeiture by
18 operation of law shall occur on the date of completion of any
19 proceedings required by law to ensure due process.

20 (s)

21 (t) On and after January 1, 2017, all licensed foster family
22 agencies shall approve resource families in lieu of certifying foster
23 homes. A foster family agency or a short-term residential treatment
24 center pursuant to subdivision (b) of Section 11462 shall require
25 applicants and resource families to meet the resource family
26 approval standards and requirements set forth in this chapter and
27 in the written directives adopted pursuant to this chapter prior to
28 approval and in order to maintain approval.

29 (t)

30 (u) Commencing January 1, 2016, the department may establish
31 participation conditions, and select and authorize foster family
32 agencies that voluntarily submit implementation plans and revised
33 plans of operation in accordance with requirements established by
34 the department, to approve resource families in lieu of certifying
35 foster homes.

36 (1) Notwithstanding any other law, a participating foster family
37 agency shall require resource families to meet and maintain the
38 resource family approval standards and requirements set forth in
39 this chapter and in the written directives adopted hereto prior to
40 approval and in order to maintain approval.

1 (2) A participating foster family agency shall implement the
2 resource family approval program pursuant to Section 1517 of the
3 Health and Safety Code.

4 (3) Nothing in this section shall be construed to limit the
5 authority of the department to inspect, evaluate, or investigate a
6 complaint or incident, or initiate a disciplinary action against a
7 foster family agency pursuant to Article 5 (commencing with
8 Section 1550) of Chapter 3 of Division 2 of the Health and Safety
9 Code, or to take any action it may deem necessary for the health
10 and safety of children placed with the foster family agency.

11 (4) The department may adjust the foster family agency
12 AFDC-FC rate pursuant to Section 11463 for implementation of
13 this subdivision.

14 *SEC. 28. Article 6 (commencing with Section 16523) is added*
15 *to Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions*
16 *Code, to read:*

17
18 *Article 6. Bringing Families Home Program*
19

20 *16523. For purposes of this article, the following definitions*
21 *shall apply:*

22 (a) *“Child welfare services” has the same meaning as defined*
23 *in Section 16501.*

24 (b) *“Department” means the State Department of Social*
25 *Services.*

26 (c) *“Eligible family” means any individual or family that, at a*
27 *minimum, meets all of the following conditions:*

28 (1) *Receives child welfare services at the time eligibility is*
29 *determined.*

30 (2) *Is homeless.*

31 (3) *Voluntarily agrees to participate in the program.*

32 (4) *Either of the following:*

33 (A) *Has been determined appropriate for reunification of a child*
34 *to a biological parent or guardian by the county human services*
35 *agency handling the case, the court with jurisdiction over the child,*
36 *or both.*

37 (B) *A child or children in the family is or are at risk of foster*
38 *care placement, and the county human services agency determines*
39 *that safe and stable housing for the family will prevent the need*
40 *for the child’s or children’s removal from the parent or guardian.*

1 (d) “Homeless” means any of the following:

2 (1) An individual or family who lacks a fixed, regular, and
3 adequate nighttime residence.

4 (2) An individual or family with a primary nighttime residence
5 that is a public or private place not designed for or ordinarily used
6 as a regular sleeping accommodation for human beings, including,
7 but not limited to, a car, park, abandoned building, bus station,
8 train station, airport, or camping ground.

9 (3) An individual or family living in a supervised publicly or
10 privately operated shelter designated to provide temporary living
11 arrangements, including hotels or motels paid for by federal, state,
12 or local government programs for low-income individuals or by
13 charitable organizations, congregate shelters, or transitional
14 housing.

15 (4) An individual who resided in a shelter or place not meant
16 for human habitation and who is exiting an institution where he
17 or she temporarily resided.

18 (5) An individual or family who will imminently lose their
19 housing, including, but not limited to, housing they own, rent, or
20 live in without paying rent, are sharing with others, or rooms in
21 hotels or motels not paid for by federal, state, or local government
22 programs for low-income individuals or by charitable
23 organizations, as evidenced by any of the following:

24 (A) A court order resulting from an eviction action that notifies
25 the individual or family that they must leave within 14 days.

26 (B) The individual or family having a primary nighttime
27 residence that is a room in a hotel or motel and where they lack
28 the resources necessary to reside there for more than 14 days.

29 (C) Credible evidence indicating that the owner or renter of the
30 housing will not allow the individual or family to stay for more
31 than 14 days, and any oral statement from an individual or family
32 seeking homeless assistance that is found to be credible shall be
33 considered credible evidence for purposes of this clause.

34 (6) An individual or family who has no subsequent residence
35 identified.

36 (7) An individual or family who lacks the resources or support
37 networks needed to obtain other permanent housing.

38 (8) Unaccompanied youth and homeless families with children
39 and youth defined as homeless under any other federal statute, as
40 of the effective date of this program, who meet all of the following:

1 (A) Have experienced a long-term period without living
2 independently in permanent housing.

3 (B) Have experienced persistent instability as measured by
4 frequent moves over that long-term period.

5 (C) Can be expected to continue in that status for an extended
6 period of time because of chronic disabilities, chronic physical
7 health or mental health conditions, substance addiction, histories
8 of domestic violence or childhood abuse, the presence of a child
9 or youth with a disability, or multiple barriers to employment.

10 (e) “Homelessness” means the status of being homeless, as
11 defined in subdivision (d).

12 (f) “Permanent housing” means a place to live without a limit
13 on the length of stay in the housing that exceeds the duration of
14 funding for the program, subject to landlord-tenant laws pursuant
15 to Chapter 2 (commencing with Section 1940) of Title 5 of Part 4
16 of Division 3 of the Civil Code.

17 (g) “Program” means the Bringing Families Home Program
18 established pursuant to this article.

19 (h) “Supportive housing” has the same meaning as defined in
20 paragraph (2) of subdivision (b) of Section 50675.14 of the Health
21 and Safety Code, except that the program is not restricted to
22 serving only projects with five or more units.

23 16523.1. (a) To the extent funds are appropriated in the annual
24 Budget Act, the department shall award program funds to counties
25 for the purpose of providing housing-related supports to eligible
26 families experiencing homelessness if that homelessness prevents
27 reunification between an eligible family and a child receiving child
28 welfare services, or where lack of housing prevents a parent or
29 guardian from addressing issues that could lead to foster care
30 placement.

31 (b) Notwithstanding subdivision (a), this section does not create
32 an entitlement to housing-related assistance, which is intended to
33 be provided at the discretion of the county as a service to eligible
34 families.

35 (c) (1) It is the intent of the Legislature that housing-related
36 assistance provided pursuant to this article utilize evidence-based
37 models, including evidence-based practices in rapid rehousing
38 and supportive housing.

39 (2) Housing-related supports available to participating families
40 shall include, but not be limited to, all of the following:

1 (A) An assessment of each family's housing needs, including a
2 plan to assist them in meeting those needs.

3 (B) Housing navigation or search assistance to recruit
4 landlords, and assist families in locating housing affordable to
5 the family, under a presumption that the family will pay no more
6 than one-third of their income in rent.

7 (C) The use of evidence-based models, such as motivational
8 interviewing and trauma-informed care, to build relationships
9 with a parent or guardian.

10 (D) Housing-related financial assistance, including rental
11 assistance, security deposit assistance, utility payments, moving
12 cost assistance, and interim housing assistance while housing
13 navigators are actively seeking permanent housing options for the
14 family.

15 (E) Housing stabilization services, including ongoing tenant
16 engagement, case management, public systems assistance, legal
17 services, credit repair assistance, life skills training, and conflict
18 mediation with landlords and neighbors.

19 (F) If the family requires supportive housing, long-term services
20 promoting housing stability.

21 (d) The department shall award program funds to counties
22 according to criteria developed by the department, in consultation
23 with the County Welfare Directors Association, the Corporation
24 for Supportive Housing, and Housing California, subject to both
25 of the following requirements:

26 (1) A county that receives state funds under this program shall
27 match that funding on a dollar-by-dollar basis. The county funds
28 used for this purpose shall supplement, not supplant, county
29 funding already intended for these purposes.

30 (2) A county that receives state funds under this program shall
31 have a local continuum of care that participates in a homeless
32 services coordinated entry and assessment system, as required by
33 the United States Department of Housing and Urban Development.

34 (e) The department, in consultation with Housing California,
35 the Corporation for Supportive Housing, and the County Welfare
36 Directors Association of California, shall develop all of the
37 following:

38 (1) The criteria by which counties may be awarded funds to
39 provide housing-related assistance to eligible families pursuant
40 to this article.

1 (2) *The proportion of program funding to be expended on*
2 *reasonable and appropriate administrative activities to minimize*
3 *overhead and maximize services.*

4 (3) *Eligible sources of funds for a county's matching*
5 *contribution.*

6 (4) *Tracking and reporting procedures for the program.*

7 (5) *A process for evaluating program data.*

8 SEC. 29. *Section 17601.50 of the Welfare and Institutions Code*
9 *is amended to read:*

10 17601.50. The moneys in the Child Poverty and Family
11 Supplemental Support Subaccount shall be allocated to the family
12 support account in the local health and welfare trust fund in each
13 county and city and county by the Controller pursuant to a schedule
14 prepared by the Department of Finance. All funds allocated shall
15 be attributable to the payment of ~~grant increases~~ *increased aid*
16 *payments*, as authorized by Section 11450.025. Funds that are not
17 allocated in a fiscal year, shall be available for allocation in the
18 following fiscal year.

19 SEC. 30. *Section 18910.1 of the Welfare and Institutions Code*
20 *is amended to read:*

21 18910.1. ~~It is the intent of the Legislature that all~~ *All CalFresh*
22 *households shall be assigned certification periods that are the*
23 *maximum number of months allowable under federal law based*
24 ~~*on the household's circumstances, for the household type unless*~~
25 ~~*a county is complying with subdivision (b) of Section 18910.*~~
26 ~~*18910 or, on a case-by-case basis only, the household's individual*~~
27 ~~*circumstances require a shorter certification period.*~~

28 SEC. 31. *Section 18920 is added to the Welfare and Institutions*
29 *Code, to read:*

30 18920. (a) *Notwithstanding any other law, an agreement*
31 *between the department and a unit of local government, any other*
32 *unit of state government, or a nonprofit organization that provides*
33 *for a contract relating to either of the following is and shall be*
34 *deemed a "cooperative agreement," as defined in subdivision (a)*
35 *of Section 38072 of the Health and Safety Code:*

36 (1) *Outreach programs related to CalFresh.*

37 (2) *The Supplemental Nutrition Assistance Program: Nutrition*
38 *Education and Obesity Prevention Grant Program.*

39 (b) *Notwithstanding subdivision (b) of Section 38072 of the*
40 *Health and Safety Code, for purposes of Chapter 1 (commencing*

1 with Section 38070) of Division 25.2 of the Health and Safety
2 Code, any reference to the term “department” in those provisions
3 shall refer to the State Department of Social Services for purposes
4 of an agreement described in subdivision (a).

5 (c) In addition to the authority granted the department in
6 subdivision (a) of Section 38081.1 of the Health and Safety Code,
7 a change of subcontracts shall not be subject to review and
8 approval by the Department of General Services pursuant to
9 Chapter 2 (commencing with Section 10290) of Part 2 of Division
10 2 of the Public Contract Code.

11 (d) The Legislature finds and declares that this section shall be
12 applied retroactively to currently executed agreements that are
13 described in subdivision (a).

14 SEC. 32. Chapter 17 (commencing with Section 18999) is
15 added to Part 6 of Division 9 of the Welfare and Institutions Code,
16 to read:

17
18 CHAPTER 17. HOUSING AND DISABILITY INCOME ADVOCACY
19 PROGRAM
20

21 18999. In enacting this chapter, it is the intent of the
22 Legislature to establish, for the 2016–17 fiscal year, the Housing
23 and Disability Income Advocacy Program under which counties
24 assist homeless Californians with disabilities to increase
25 participation among individuals who may be eligible for disability
26 benefits programs, including the Supplemental Security
27 Income/State Supplementary Program for the Aged, Blind, and
28 Disabled (SSI/SSP), the federal Social Security Disability Insurance
29 (SSDI) program, the Cash Assistance Program for Immigrants,
30 and veterans benefits provided under federal law, including
31 disability compensation.

32 18999.1. (a) Subject to an appropriation of funds for this
33 purpose in the annual Budget Act, the State Department of Social
34 Services shall administer the Housing and Disability Income
35 Advocacy Program to provide state matching grant funds to
36 participating counties for the provision of outreach, case
37 management, and advocacy services and housing assistance to
38 individuals in need.

39 (b) Funds appropriated pursuant to this chapter shall be
40 awarded to counties by the department according to criteria

1 *developed by the department, in consultation with the County*
2 *Welfare Directors Association of California and advocates for*
3 *clients, subject to the following restrictions:*

4 *(1) State funds appropriated pursuant to this chapter shall be*
5 *used only for the purposes specified in this chapter.*

6 *(2) A county that receives state funds under this chapter shall*
7 *match that funding on a dollar-for-dollar basis. The county*
8 *matching funds used for this purpose shall supplement, and not*
9 *supplant, other county funding for these purposes.*

10 *(3) A county receiving state funds pursuant to this chapter shall,*
11 *at a minimum, maintain a level of county funding for the outreach,*
12 *active case management, advocacy, and housing assistance*
13 *services described in this chapter that is at least equal to the total*
14 *of the amounts expended by the county for those services in the*
15 *2015–16 fiscal year.*

16 *(4) As part of its application to receive state funds under this*
17 *chapter, a county shall identify how it will collaborate locally*
18 *among, at a minimum, the county departments that are responsible*
19 *for health, including behavioral health, and human or social*
20 *services in carrying out the activities required by this chapter.*
21 *This collaboration shall include, but is not limited to, the sharing*
22 *of information among these departments as necessary to carry out*
23 *the activities required by this chapter.*

24 *18999.2. (a) (1) A participating county shall provide, or*
25 *contract for, outreach, active case management, and advocacy*
26 *services related to all of the following programs, as appropriate:*

27 *(A) The Supplemental Security Income/State Supplementary*
28 *Program for the Aged, Blind, and Disabled (SSI/SSP).*

29 *(B) The federal Social Security Disability Insurance (SSDI)*
30 *program.*

31 *(C) The Cash Assistance Program for Immigrants.*

32 *(D) Veterans benefits provided under federal law, including,*
33 *but not limited to, disability compensation.*

34 *(2) The outreach and case management services required by*
35 *this subdivision shall include, but not be limited to, all of the*
36 *following:*

37 *(A) Receiving referrals.*

38 *(B) Conducting outreach, training, and technical assistance.*

39 *(C) Providing assessment and screening.*

1 (D) Coordinating record retrieval and other necessary means
2 of documenting disability.

3 (E) Coordinating the provision of health care, including
4 behavioral health care, for clients, as appropriate.

5 (3) The advocacy services required by this subdivision, which
6 may be provided through legal representation, shall include, but
7 not be limited to, the following:

8 (A) Developing and filing competently prepared benefit
9 applications, appeals, reconsiderations, reinstatements, and
10 recertifications.

11 (B) Coordinating with federal and state offices regarding
12 pending benefit applications, appeals, reconsiderations,
13 reinstatements, and recertifications and advocating on behalf of
14 the client.

15 (b) A participating county shall use screening tools to identify
16 populations of individuals who are likely to be eligible for the
17 programs listed in subdivision (a), in accordance with the
18 following:

19 (1) The county shall give highest priority to individuals who
20 are chronically homeless or who rely the most heavily on state-
21 and county-funded services.

22 (2) Other populations to be targeted by the program include,
23 but are not limited to, the following:

24 (A) General assistance or general relief applicants or recipients
25 who are homeless or at risk of homelessness.

26 (B) Parents who receive CalWORKs assistance or whose
27 children receive assistance or children who are recipients of
28 CalWORKs in families that are homeless or at risk of homelessness.

29 (C) Low-income individuals with disabilities who can be diverted
30 from, or who are being discharged from, jails or prisons and who
31 are homeless or at risk of homelessness.

32 (D) Low-income veterans with disabilities who are homeless
33 or at risk of homelessness.

34 (E) Low-income individuals with disabilities who are being
35 discharged from hospitals, long-term care facilities, or
36 rehabilitation facilities and who are homeless or at risk of
37 homelessness.

38 (c) (1) As appropriate, a participating county may refer an
39 individual to workforce development programs who is not likely

1 *to be eligible for the programs listed in subdivision (a) and who*
2 *may benefit from workforce development programs.*

3 *(2) In consultation with an individual who has been served by*
4 *the Housing and Disability Income Advocacy Program and*
5 *considering the circumstances of his or her disabilities, a*
6 *participating county may, upon approval or final denial of*
7 *disability benefits, refer an individual who may benefit from*
8 *workforce development programs to those programs.*

9 *(3) An individual's participation in a workforce development*
10 *program pursuant to this subdivision is voluntary.*

11 *18999.4. (a) (1) A participating county shall use funds*
12 *received under this program to establish or expand programs that*
13 *provide housing assistance, including interim housing, recuperative*
14 *care, rental subsidies, or, only when necessary, shelters, for clients*
15 *receiving services under Section 18999.2 during the clients'*
16 *application periods for disability benefits programs described in*
17 *that section. The county shall place a client who receives subsidies*
18 *in housing that the client can sustain without a subsidy upon*
19 *approval of disability benefits. If the client is not approved for*
20 *disability benefits, case management staff shall assist in developing*
21 *a transition plan for housing support through other available*
22 *resources.*

23 *(2) A client's participation in housing assistance programs or*
24 *services is voluntary.*

25 *(b) A county, with the assistance of the department, shall seek*
26 *reimbursement of funds used for housing assistance, general*
27 *assistance, or general relief from the federal Commissioner of*
28 *Social Security pursuant to an interim assistance reimbursement*
29 *agreement authorized by Section 1631(g) of the federal Social*
30 *Security Act. A county shall expend funds received as*
31 *reimbursement for housing assistance only on additional housing*
32 *assistance for clients receiving services under this chapter.*

33 *18999.6. (a) Each participating county shall annually report*
34 *to the department regarding its funding of advocacy and outreach*
35 *programs in the prior year, as well as the use of state funding*
36 *provided under this chapter, including all of the following:*

37 *(1) The number of clients served in each of the targeted*
38 *populations described in subdivision (b) of Section 18999.2 and*
39 *any other populations the county chose to target.*

1 (2) *The demographics of the clients served, including race or*
2 *ethnicity, age, and gender.*

3 (3) *The number of applications for benefits, and type of benefits,*
4 *filed with the assistance of the county.*

5 (4) *The number of applications approved initially, the number*
6 *approved after reconsideration, the number approved after appeal,*
7 *and the number not approved, including the time to benefits*
8 *establishment.*

9 (5) *For applications that were denied, the reasons for denial.*

10 (6) *The number of clients who received subsidized housing*
11 *during the period that their applications were pending and a*
12 *description of how that impacted the clients and the rates of*
13 *completed applications or approval.*

14 (7) *The number of clients who received subsidized housing who*
15 *maintained that housing during the SSI application period.*

16 (8) *The percentage of individuals approved for SSI who retain*
17 *permanent housing 6, 12, and 24 months after benefits approval.*

18 (9) *The amount and percentage of rental subsidy costs and of*
19 *general assistance or general relief costs recovered through interim*
20 *assistance reimbursement for individuals approved for benefits.*

21 (10) *The number of individuals eligible to be served by this*
22 *program but who have not yet received services.*

23 (11) *Any additional data requirements established by the*
24 *department after consultation with the County Welfare Directors*
25 *Association of California and advocates for clients.*

26 (b) *The department shall periodically inform the Legislature of*
27 *the implementation progress of the program and make related*
28 *data available on its Internet Web site. The department shall also*
29 *report to the Legislature by October 1, 2018, in compliance with*
30 *Section 9795 of the Government Code, regarding the*
31 *implementation of the program, including the information reported*
32 *by participating counties pursuant to this section.*

33 (c) *Notwithstanding the rulemaking provisions of the*
34 *Administrative Procedures Act (Chapter 3.5 (commencing with*
35 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
36 *Code), the department may implement, interpret, or make specific*
37 *this chapter through all-county letters without taking any*
38 *regulatory action.*

39 SEC. 33. (a) *During the 2017 and 2018 legislative budget*
40 *hearings, the State Department of Social Services and the State*

1 *Department of Health Care Services shall update the legislative*
2 *budget committees on activities taken by the departments to*
3 *implement the Continuum of Care Reform (CCR) pursuant to AB*
4 *403 (Chapter 773, Statutes of 2015).*

5 *(b) The information required pursuant to subdivision (a) shall*
6 *include, but is not limited to, all of the following:*

7 *(1) The specialty mental health services provided to foster*
8 *children in short term residential treatment centers, by foster family*
9 *agencies, and by resource families.*

10 *(2) The roles to be performed by the county mental health plans,*
11 *the Medi-Cal managed care plans, and the fee-for-service system*
12 *to coordinate mental health services being provided to foster youth*
13 *pursuant to subdivision (a).*

14 *(3) The actual or projected fiscal information related to the*
15 *implementation of CCR, as follows:*

16 *(A) Funding sources available to provide mental health services*
17 *to foster care children.*

18 *(B) The state, county, and federal funding estimated for the*
19 *2016–17 fiscal year to provide mental health services to foster*
20 *children who meet the medical necessity criteria for specialty*
21 *mental health services under the Medi-Cal program.*

22 *SEC. 34. No appropriation pursuant to Section 15201 of the*
23 *Welfare and Institutions Code shall be made for purposes of*
24 *implementing Section 20 of this act.*

25 *SEC. 35. The State Department of Social Services shall convene*
26 *stakeholders, including county placing agencies, providers, foster*
27 *youth, and legislative staff, commencing no later than July 1, 2016,*
28 *to discuss the adequacy of the proposed foster care rates and rate*
29 *structure, and the extent to which the rates will achieve the desired*
30 *outcomes for Continuum of Care Reform and AB 403 (Chapter*
31 *773, Statutes of 2015). The department shall report to the*
32 *legislative budget committees no later than August 10, 2016, on*
33 *the results of these discussions. To the extent the proposed rates*
34 *have changed, the department shall provide updated projected*
35 *costs no later than January 10, 2017.*

36 *SEC. 36. (a) Notwithstanding the rulemaking provisions of*
37 *the Administrative Procedure Act (Chapter 3.5 (commencing with*
38 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
39 *Code), the State Department of Social Services may implement*
40 *and administer Article 6 (commencing with Section 16523) of*

Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions Code and the changes made in this act to Sections 11253.45, 11320.15, 11322.63, 11322.64, 11322.83, 11323.25, 11402 (as amended by Section 65 of Chapter 773 of the Statutes of 2015), 11402 (as amended by Section 66 of Chapter 773 of the Statutes of 2015), 11450, 11450.04, 11461.3, 11461.4, 11465, 12301.02, 16519.5, and 18910.1 of the Welfare and Institutions Code through all-county letters or similar instructions until regulations are adopted.

(b) The department shall adopt emergency regulations implementing the sections specified in subdivision (a) no later than January 1, 2018. The department may readopt any emergency regulation authorized by this section that is the same as, or substantially equivalent to, any emergency regulation previously adopted pursuant to this section. The initial adoption of regulations pursuant to this section and one readoption of emergency regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare. Initial emergency regulations and the one readoption of emergency regulations authorized by this section shall be exempt from review by the Office of Administrative Law. The initial emergency regulations and the one readoption of emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the Secretary of State, and each shall remain in effect for no more than 180 days, by which time final regulations shall be adopted.

SEC. 37. (a) To the extent that this act has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation, Section 36 of Article XIII of the California Constitution shall govern this act's application to local agencies and the state's funding of those programs or levels of service.

(b) However, if the Commission on State Mandates determines that this act contains other costs mandated by the state for programs or levels of service not described in subdivision (a), reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 38. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section

1 *12 of Article IV of the California Constitution, has been identified*
2 *as related to the budget in the Budget Bill, and shall take effect*
3 *immediately.*

4 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
5 ~~changes relating to the 2016 Budget Act.~~

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